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CONGRESSIONAL RECORD — SENATE

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committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2182) for the relief of the city of Elkins, W. Va.

The message further announced that the House insisted upon its amendment to the bill (S. 3903) to amend the Agricultural Trade Development and Assistance Act of 1954, as amended, so as to increase the amount authorized to be appropriated for purposes of title II of the act, and for other purposes, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. COOLEY, Mr. POASE, Mr. GRANT, Mr. HOPE, and Mr. ANDRESEN were appointed managers on the part of the House at the conference.

The message also announced that the House had agreed to the concurrent resolution (S. Con. Res. 86) authorizing the conferees on H. R. 1774, abolishing the Verendrye National Monument, N. Dak., to consider certain additional Senate amendments.

The message further announced that the House had passed the following bills and joint resolution, in which it requested the concurrence of the Senate:

H. R. 5435. An act to amend further the Federal Civil Defense Act of 1950, as amended, to authorize the Federal Civil Defense Administration to procure radiological instruments and detection devices, and for other purposes;

H. R. 11969. An act to require certain safety devices on household refrigerators shipped in interstate commerce;

H. R. 12170. An act to remove the present \$1,000 limitation which prevents the Secretary of the Navy from settling certain claims arising out of the crash of a naval aircraft at the Wold-Chamberlain Airfield, Minneapolis, Minn.; and

H. J. Res. 549. Joint resolution granting the consent of Congress to the State of New York to negotiate and enter into an agreement or compact with the Government of Canada for the establishment of the Niagara Frontier Port Authority with power to take over, maintain, and operate the present highway bridge over the Niagara River between the city of Buffalo, N. Y., and the city of Port Erie, Ontario, Canada.

The message also announced that the House had agreed to the following concurrent resolutions, in which it requested the concurrence of the Senate:

H. Con. Res. 254. Concurrent resolution authorizing the printing of additional copies of House Reports Nos. 2240, 2241, 2242, 2243, and 2244, current session;

H. Con. Res. 261. Concurrent resolution authorizing the printing of additional copies of the hearings on civil defense for national survival held during the current session by a subcommittee of the Committee on Government Operations;

H. Con. Res. 262. Concurrent resolution authorizing the Joint Committee on Atomic Energy to print 40,000 additional copies of the hearings of the Research and Development Subcommittee on Progress Report on Research in Medicine, Biology, and Agriculture Using Radioactive Isotopes; and

H. Con. Res. 263. Concurrent resolution authorizing additional copies of the hearing on Labor-Management Problems of the American Merchant Marine.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to

the following enrolled bills, and they were signed by the President pro tempore:

S. 3498. A bill to extend authority of the American Battle Monuments Commission to all areas in which the Armed Forces of the United States have conducted operations since April 6, 1917, and for other purposes; and

H. R. 9801. An act to authorize and direct the Panama Canal Company to construct, maintain, and operate a bridge over the Panama Canal at Balboa, C. Z.

HOUSE BILLS REFERRED

The following bills were each read twice by their titles and referred as indicated:

H. R. 5435. An act to amend further the Federal Civil Defense Act of 1950, as amended, to authorize the Federal Civil Defense Administration to procure radiological instruments and detection devices, and for other purposes; to the Committee on Armed Services.

H. R. 11969. An act to require certain safety devices on household refrigerators shipped in interstate commerce; to the Committee on Interstate and Foreign Commerce.

HOUSE CONCURRENT RESOLUTIONS REFERRED

The concurrent resolution (H. Con. Res. 254) authorizing the printing of additional copies of House Reports Nos. 2240, 2241, 2242, 2243, and 2244, current session, was referred to the Committee on Rules and Administration, as follows:

Resolved by the House of Representatives (the Senate concurring). That there be printed for the use of the Committee on Un-American Activities, House of Representatives, 10,000 additional copies each of House Reports Nos. 2240, 2241, 2242, 2243, and 2244, current session, all of which are reports on the Communist conspiracy.

The concurrent resolution (H. Con. Res. 261) authorizing the printing of additional copies of the hearings on civil defense for national survival held during the current session by a subcommittee of the Committee on Government Operations, was referred to the Committee on Rules and Administration, as follows:

Resolved by the House of Representatives (the Senate concurring). That there be printed for the use of the Committee on Government Operations not to exceed 3,000 additional copies of each part of the hearing held by the Subcommittee on Military Operations, Committee on Government Operations, during the current session relative to civil defense for national survival.

The concurrent resolution (H. Con. Res. 262) authorizing the Joint Committee on Atomic Energy to print 40,000 additional copies of the hearings of the Research and Development Subcommittee on "Progress Report on Research in Medicine, Biology, and Agriculture Using Radioactive Isotopes," was referred to the Committee on Rules and Administration, as follows:

Resolved by the House of Representatives (the Senate concurring). That there be printed with illustrations for the use of the Joint Committee on Atomic Energy 40,000 additional copies of the hearings held by the Research and Development Subcommittee of the said joint committee during the 84th Congress entitled "Progress Report on

Research in Medicine, Biology, and Agriculture Using Radioactive Isotopes."

The concurrent resolution H. Con. Res. 263) authorizing additional copies of the hearing on Labor-Management Problems of the American Merchant Marine, was referred to the Committee on Rules and Administration as follows:

Resolved by the House of Representatives (the Senate concurring). That there be printed for the use of the Committee on Merchant Marine and Fisheries, House of Representatives, 1,000 additional copies of the hearing held by said committee during the current Congress, first session, relative to labor-management problems of the American merchant marine.

EXECUTIVE PAY ACT, 1956

The Senate resumed the consideration of the bill (H. R. 7619) to adjust the rates of compensation of the heads of executive departments and of certain other officials of the Federal Government, and for other purposes, which had been reported from the Committee on Post Office and Civil Service with an amendment to strike out all after the enacting clause and insert:

TITLE I—BASIC COMPENSATION FOR HEADS OF EXECUTIVE DEPARTMENTS AND OTHER FEDERAL OFFICIALS

SEC. 101. This title may be cited as "Federal Executive Pay Act of 1956."

SEC. 102. The annual rate of basic compensation of each of the offices or positions listed in this section shall be \$23,000.

- (1) Secretary of State.
- (2) Secretary of Treasury.
- (3) Secretary of Defense.
- (4) Attorney General.
- (5) Postmaster General.
- (6) Secretary of the Interior.
- (7) Secretary of Agriculture.
- (8) Secretary of Commerce.
- (9) Secretary of Labor.
- (10) Secretary of Health, Education, and Welfare.

SEC. 103. (a) The annual rate of basic compensation of each of the offices or positions listed in this subsection shall be \$22,000.

- (1) Director, Bureau of the Budget.
- (2) Comptroller General.
- (3) Director, Office of Defense Mobilization.

- (4) Under Secretary of State.
- (5) Deputy Secretary of Defense.

(b) The annual rate of basic compensation of each of the offices or positions listed in this subsection shall be \$22,000.

- (1) Secretary of the Army.
- (2) Secretary of the Navy.
- (3) Secretary of the Air Force.

SEC. 104. The annual rate of basic compensation of each of the offices or positions listed in this section shall be \$21,000.

- (1) Commissioner, Internal Revenue.
- (2) Director of Central Intelligence.
- (3) Director, Federal Bureau of Investigation.

- (4) Administrator, Federal Civil Defense Administration.

- (5) Administrator of General Services.
- (6) Administrator of Housing and Home Finance Agency.

- (7) Administrator of Veterans Affairs.
- (8) Director, International Cooperation Administration.

- (9) Director, United States Information Agency.

- (10) Governor, Farm Credit Administration.

- (11) President, Export Import Bank of Washington.

- (12) Under Secretary of the Treasury.

- (13) Under Secretary of the Treasury for Monetary Affairs.

- (14) Deputy Postmaster General.
- (15) Under Secretary of Interior.
- (16) Under Secretary of Agriculture.
- (17) Under Secretary of Commerce.
- (18) Under Secretary of Commerce for Transportation.
- (19) Under Secretary of Labor.
- (20) Under Secretary of Health, Education, and Welfare.

Sec. 105. The annual rate of basic compensation of each of the offices or positions listed in this section shall be \$20,500.

- (1) Chairman, Civil Aeronautics Board.
- (2) Chairman, Civil Service Commission.
- (3) Chairman, Council of Economic Advisers.
- (4) Chairman, Federal Communications Commission.
- (5) Chairman, Board of Directors, Federal Deposit Insurance Corporation.
- (6) Chairman, Federal Maritime Board.
- (7) Chairman, Federal Power Commission.
- (8) Chairman, Board of Governors, Federal Reserve System.
- (9) Chairman, Federal Trade Commission.
- (10) Chairman, Foreign Claims Settlement Commission.
- (11) Chairman, Home Loan Bank Board.
- (12) Chairman, Interstate Commerce Commission.
- (13) Chairman, National Labor Relations Board.
- (14) Chairman, National Mediation Board.
- (15) Chairman, Railroad Retirement Board.
- (16) Chairman, Renegotiation Board.
- (17) Chairman, Securities and Exchange Commission.
- (18) Chairman, Subversive Activities Control Board.
- (19) Chairman, Board of Directors, Tennessee Valley Authority.
- (20) Chairman, United States Tariff Commission.
- (21) Comptroller of the Currency.
- (22) Assistant Comptroller General.
- (23) Deputy Administrator, Federal Civil Defense Administration.
- (24) Deputy Administrator of Veterans' Affairs.
- (25) Deputy Director, Bureau of the Budget.
- (26) Deputy Director, Central Intelligence Agency.
- (27) Deputy Director, Office of Defense Mobilization.
- (28) Deputy Director, United States Information Agency.
- (29) Deputy Under Secretary, Department of State (3).
- (30) Director, Federal Mediation and Conciliation Service.
- (31) First Vice President, Export-Import Bank of Washington.

Sec. 106. (a) The annual rate of basic compensation of each of the offices or positions listed in this subsection shall be \$20,000.

- (1) Administrator, Bureau of Security and Consular Affairs, State Department.
- (2) Administrator of Civil Aeronautics.
- (3) Administrator, Commodity Stabilization Service.
- (4) Administrator, Rural Electrification Administration.
- (5) Administrator, Small Business Administration.
- (6) Administrator, St. Lawrence Seaway Development Corporation.
- (7) Administrator, Wage and Hour Division, Department of Labor.
- (8) Archivist of the United States.
- (9) Assistant Directors, Bureau of the Budget (2).
- (10) Assistant Postmasters General (5).
- (11) Assistant Secretaries of Agriculture (3).
- (12) Assistant Secretaries of Commerce (3).
- (13) Assistant Secretaries of Defense (9).

- (14) Assistant Secretaries of Health, Education, and Welfare (2).
- (15) Assistant Secretaries of Interior (3).
- (16) Assistant Secretaries of Labor (3).
- (17) Assistant Secretaries of State (10).
- (18) Assistant Secretaries of Treasury (3).
- (19) Assistant Secretaries of Air Force (4).
- (20) Assistant Secretaries of Army (4).
- (21) Assistant Secretaries of Navy (4).
- (22) Associate Director, Federal Bureau of Investigation.

- (23) Chairman, Military Liaison Committee, AEC, Department of Defense.
- (24) Commissioner, Community Facilities, Housing and Home Finance Agency.
- (25) Commissioner, Federal Housing Administration.
- (26) Commissioner of Patents.
- (27) Commissioner, Public Housing Administration.
- (28) Commissioner, Urban Renewal Administration.
- (29) Counselor of the Department of State.
- (30) Deputy Administrator, Housing and Home Finance Agency.
- (31) Deputy Administrator, General Services Administration.
- (32) Deputy Director, Central Intelligence Agency.
- (33) Director, Administrative Office of the United States Courts.
- (34) Director, Bureau of Prisons.
- (35) Director, National Advisory Committee for Aeronautics.
- (36) Director, National Science Foundation.
- (37) Director, Selective Service.
- (38) Federal Highway Administrator.
- (39) Fiscal Assistant Secretary of the Treasury.
- (40) General Counsel, National Labor Relations Board.
- (41) Governor of Alaska.
- (42) Governor of the Canal Zone.
- (43) Governor of Hawaii.
- (44) Governor of Guam.
- (45) Governor of the Virgin Islands.
- (46) Librarian of Congress.
- (47) President, Federal National Mortgage Association.
- (48) Public Printer.
- (49) Special Assistant to the Secretary, Department of Health, Education, and Welfare.
- (50) Under Secretary of the Army.
- (51) Under Secretary of the Navy.
- (52) Under Secretary of the Air Force.
- (53) Legal Adviser, solicitor, or general counsel of an executive department (excluding Department of Justice).
- (54) Members of boards and commissions (excluding chairmen):
 - Civil Aeronautics Board (4).
 - Civil Service Commission (2).
 - Council of Economic Advisers (2).
 - Board of Directors, Export-Import Bank of Washington (3).
 - Federal Communications Commission (6).
 - Federal Deposit Insurance Corporation (1).
 - Board of Governors of Federal Reserve System (6).
 - Federal Maritime Board (2).
 - Foreign Claims Settlement Commission (2).
 - Federal Power Commission (4).
 - Federal Trade Commission (4).
 - Home Loan Bank Board (2).
 - Interstate Commerce Commission (10).
 - National Labor Relations Board (4).
 - National Mediation Board (2).
 - Railroad Retirement Board (2).
 - Renegotiation Board (4).
 - Securities and Exchange Commission (4).
 - Subversive Activities Control Board (4).
 - Board of Directors, Tennessee Valley Authority (2).
 - U. S. Tariff Commission (5).
- (b) The annual rate of basic compensation of each of the offices or positions listed in this subsection shall be \$19,000.

- (1) Commissioner, Indian Claims Commission (3).

- (2) Commissioner, United States Court of Claims (12).

Sec. 107. The annual rate of basic compensation of each of the offices or positions listed in this section shall be \$17,500.

- (1) Administrator, Agricultural Research Service, Department of Agriculture.
- (2) Administrator, Bonneville Power Administration.
- (3) Administrator, Farmers' Home Administration.
- (4) Administrator, Soil Conservation Service, Department of Agriculture.
- (5) Assistant Director, Administrative Office of the United States Courts.
- (6) Associate Director, Federal Mediation and Conciliation Service.
- (7) Chief Assistant Librarian of Congress.
- (8) Chief Forester of the Forest Service, Department of Agriculture.
- (9) Chief of Staff, Joint Committee on Internal Revenue Taxation.
- (10) Commissioner of Customs.
- (11) Commissioner, Federal Supply Service, General Services Administration.
- (12) Commissioner of Narcotics.
- (13) Commissioner of Public Buildings Service.
- (14) Commissioner of Public Roads.
- (15) Commissioner of Reclamation.
- (16) Commissioner of Social Security.
- (17) Commissioner, United States Court of Claims (12).
- (18) Deputy Administrator, Small Business Administration (2).
- (19) Deputy Administrator, St. Lawrence Seaway Development Corporation.
- (20) Deputy Commissioner, Internal Revenue.
- (21) Deputy Public Printer.
- (22) First Assistant Commissioner of Patents.
- (23) Manager, Federal Crop Insurance Corporation, Department of Agriculture.

Sec. 108. Except as otherwise specifically provided in this title, the chairman or other head of each independent board or commission in the executive branch shall receive, during the period of his service as chairman or other head of such board or commission, annual basic compensation at a rate which is \$500 more than the annual rate of basic compensation prescribed by this title for the other members of such board or commission.

Sec. 109. Section 105 of title 3 of the United States Code is amended to read as follows:

"§ 105. Compensation of secretaries and executive, administrative, and staff assistants to President.

"The President is authorized to fix the compensation of the 6 administrative assistants authorized to be appointed under section 106 of this title, of the Executive Secretary of the National Security Council, and of 8 other secretaries or other immediate staff assistants in the White House Office, as follows: Two at rates not exceeding \$22,500 per annum, 3 at rates not exceeding \$21,000 per annum, 7 at rates not exceeding \$20,000 per annum, and 3 at rates not exceeding \$17,500 per annum."

Sec. 110. The annual compensation for each of the offices established by section 1 (d) of Reorganization Plan Numbered 7 of 1953, effective August 1, 1953 (67 Stat. 639) shall be established by the Secretary of State at a rate not more than \$19,000.

Sec. 111. Section 2 of Public Law 565, 79th Congress, approved July 30, 1946 (60 Stat. 712), is amended by striking out "\$12,000" and inserting in lieu thereof "\$15,000".

Sec. 112. Section 527 (b) of the Mutual Security Act of 1954, approved August 26, 1954 (Public Law 665, 83d Cong.) 68 Stat. 832) is amended by striking out "\$15,000 per annum" and inserting in lieu thereof "\$19,000 per annum."

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Sec. 113. (a) The compensation schedule for the General Schedule contained in section 603 (b) of the Classification Act of 1949, as amended, is amended by striking out:

"GS-17.... 13,975 14,190 14,405 14,620
GS-18.... 14,800"

and inserting in lieu thereof:

"GS-17.. 13,975 14,190 14,405 14,620 14,835
GS-18.. 16,000."

(b) The rates of basic compensation of officers and employees to whom this section applies shall be initially adjusted as follows:

(1) If the officer or employee is receiving basic compensation immediately prior to the effective date of this act at a scheduled rate of grade 17 or 18 of the General Schedule, he shall receive a rate of basic compensation at the corresponding scheduled rate in effect on and after such date;

(2) If the officer or employee, immediately prior to the effective date of this section, is in a position in grade 17 of the General Schedule and is receiving basic compensation at a rate between two scheduled rates of such grade, he shall receive a rate of basic compensation at the higher of the two corresponding rates in effect on and after such date;

(3) If the officer or employee, immediately prior to the effective date of this section, is in a position in grade 17 of the General Schedule and is receiving basic compensation at a rate which is in excess of the maximum scheduled rate of his grade as provided in this section, he shall continue to receive such higher rate of basic compensation until (1) he leaves such position, or (2) he is entitled to receive basic compensation at a higher rate by reason of the operation of the Classification Act of 1949, as amended; but when such position becomes vacant, the rate of basic compensation of any subsequent appointee thereto shall be fixed in accordance with such act, as amended.

Sec. 114. The Postal Field Service Schedule in section 301 (a) of the act of June 10, 1955 (Public Law 68, 84th Cong.) is amended by striking out:

"18.... 12,500 12,800 13,100 13,400 13,700 14,000 14,300
19.... 13,600 13,900 14,200 14,500 14,800
20.... 14,800"

and inserting in lieu thereof:

"18... 12,800 13,100 13,400 13,700 14,000 14,300 14,600
19... 14,000 14,300 14,600 14,900 15,200
20... 16,000."

Sec. 115. Section 3 of the act of January 3, 1946, as amended (38 U. S. C. 15b), is hereby amended as follows:

(a) The last sentence of section 3 (b) is amended to read: "During the period of his service as such, the Chief Medical Director shall be paid a salary of \$17,800 a year."

(b) The last sentence of section 3 (c) is amended to read: "During the period of his service as such, the Deputy Chief Medical Director shall be paid a salary of \$16,800 a year."

(c) That portion of section 3 (d) which precedes the proviso is amended to read: "Each Assistant Chief Medical Director shall be appointed by the Administrator upon the recommendation of the Chief Medical Director and shall be paid a salary of \$15,800."

Sec. 116. (a) The first section of the act approved August 1, 1947 (61 Stat. 715; Public Law 313, 80th Cong.), as amended, relating to salary limitations on research and development positions requiring the services of specially qualified scientific or professional personnel in certain departments and agencies, is amended by striking out "\$10,000" and "\$15,000" and inserting in lieu thereof "\$12,500" and "\$19,000", respectively.

(b) Section 208 (g) of the Public Health Service Act, as amended (42 U. S. C. 210 (g)), relating to salary limitations on research and development positions requiring the

services of specially qualified scientific or professional personnel in the Public Health Service is amended by striking out "\$10,000" and "\$20,000" and inserting in lieu thereof "\$12,000" and "\$19,000", respectively.

Sec. 117. The salary amendments contained in section 116 shall not affect the authority of the Civil Service Commission or the procedure for fixing the pay of individual officers or employees under the statutes therein amended; except that the existing rate of basic compensation of any officer or employee to whom such section applies which is less than a rate of \$12,500 per annum shall be increased to such rate on the effective date of this title.

Sec. 118. Section 12 of the act of May 29, 1884, as amended (21 U. S. C. 113a), relating to salary limitation on technical experts or scientists for research and study of foot-and-mouth disease and other animal diseases, is hereby amended by striking out "\$15,000" and inserting in lieu thereof "\$19,000."

Sec. 119. The last paragraph under the heading "Contingent Expenses of the Senate" in the Legislative Appropriation Act, 1956, is amended by striking out so much thereof as reads "the basic compensation of one employee of each such committee may be fixed at any rate not in excess of \$8,460 per annum" and inserting in lieu thereof "the basic compensation of two employees of each such committee may be fixed at any rate not in excess of \$8,460 per annum."

Sec. 120. The gross rate of compensation of the Legislative Counsel of the Senate shall be \$17,500 per annum.

Sec. 121. This title shall take effect at the beginning of the first pay period commencing after June 30, 1956.

TITLE II—PROVISIONS RELATING TO ORGANIZATION OF CIVIL SERVICE COMMISSION

Sec. 201. (a) The first section of the act entitled "An act to regulate and improve the civil service of the United States," approved January 16, 1883, as amended (5 U. S. C., sec. 632), is amended by inserting immediately after the first paragraph thereof a paragraph as follows:

"The term of office of each such Commissioner shall be 6 years, except that (1) the terms of office of the Commissioners holding office on the effective date of this paragraph (including the term of office of an individual appointed to fill any vacancy in the Commission existing on such effective date) shall expire, as designated by the President, one at the end of 2 years, one at the end of 4 years, and one at the end of 6 years, after such effective date; (2) any Commissioner appointed to fill a vacancy occurring prior to the expiration of the term of his predecessor shall be appointed for the remainder of such term; and (3) upon the expiration of his term of office a Commissioner may continue to serve until his successor is appointed and has qualified."

(b) Such first section of such act of January 16, 1883, is further amended by adding at the end thereof the following paragraph:

"In addition to designating a Chairman of the Commission from time to time, pursuant to section 1 of Reorganization Plan No. 5 of 1949, the President shall from time to time designate one of the Commissioners as Vice Chairman of the Commission. During the absence or disability of the Commissioner designated as Chairman, or in the event of a vacancy in the office of such Commissioner, the Commissioner designated as Vice Chairman shall perform those functions of the Chairman which were transferred to the Chairman by the provisions of section 2 (a) (2) to 2 (a) (8), inclusive, of such Reorganization Plan. During the absence or disability of both the Commissioner designated as Chairman and the Commissioner designated as Vice Chairman, or in the event of vacancies in the offices of both such Com-

missioners, the remaining Commissioner shall perform such functions. During the absence or disability of all three Commissioners, or in the event of vacancies in the offices of all three Commissioners, the Executive Director shall perform such functions; but the Executive Director shall at no time sit as a member or acting member of the Commission."

Sec. 202. (a) This section and section 201 (b) shall take effect on the date of enactment of this act.

(b) Section 201 (a) shall take effect on March 1, 1957.

TITLE III—MISCELLANEOUS PROVISIONS

Sec. 301. (a) The President shall hereafter appoint, by and with the advice and consent of the Senate, a General Counsel of the Post Office Department, a General Counsel of the Department of Agriculture, a General Counsel of the Department of Health, Education, and Welfare, a General Counsel of the Department of the Army, a General Counsel of the Department of the Navy, and a General Counsel of the Department of the Air Force.

(b) The existing office of Solicitor of the Post Office Department and the existing offices of General Counsel of the Department of Agriculture, the Department of Health, Education, and Welfare, the Department of the Army, the Department of the Navy, and the Department of the Air Force, shall be abolished effective upon the appointment and qualification of the General Counsels of such respective departments provided for by subsection (a) or April 1, 1957, whichever is earlier.

Sec. 302. Section 505 of the Classification Act of 1949, as amended, is amended by striking out "subsections (c), (d), and (e)" in subsection (b) and inserting in lieu thereof "subsections (c), (d), (e), and (f)"; and by adding at the end of such section a new subsection as follows:

"(f) The Director of the Administrative Office of the United States Courts is authorized to place a total of four positions in the Administrative Office of the United States Courts in grade 18 of the General Schedule. Such positions shall be in addition to the number of positions authorized to be placed in such grade by subsection (b)."

Sec. 303. (a) The position of seven Directors of Commodity Offices, Commodity Stabilization Service, Department of Agriculture, shall be in grade GS-14 of the General Schedule established by the Classification Act of 1949, as amended. Such positions shall be in addition to the number of positions authorized to be placed in such grade by section 505 (b) of such act.

(b) The positions of three Deputy Administrators of the Agricultural Research Service, Department of Agriculture, shall be in grade GS-13 of the General Schedule established by the Classification Act of 1949, as amended. Such positions shall be in addition to the number of positions authorized to be placed in such grade by section 505 (b) of such act.

Sec. 304. (a) Notwithstanding any other provision of law, order, or regulation the head of the Bureau of Public Roads in the Department of Commerce shall be a Federal Highway Administrator appointed by the President by and with the advice and consent of the Senate. The Administrator shall receive basic compensation at the rate prescribed by law for Assistant Secretaries of executive departments and shall perform such duties as the Secretary of Commerce may prescribe or as may be required by law.

(b) The term "Commissioner of Public Roads," as used in all laws, orders, and regulations heretofore enacted, issued, or promulgated shall be deemed to mean "Federal Highway Administrator" on and after the date of enactment of this act.

(c) Notwithstanding the provisions of subsection (b) hereof there shall be a Commissioner of Public Roads in the Bureau of Public Roads who shall be appointed by the Secretary of Commerce, and perform such duties as may be prescribed by the Federal Highway Administrator.

Sec. 305. The paragraph under the heading "General Provisions" under the appropriations for the Post Office Department contained in chapter IV of the Supplemental Appropriation Act, 1951 (64 Stat. 1050; 31 U. S. C. 695), is amended by striking out "the receipt of revenue from fourth-class mail service sufficient to pay the cost of such service" and inserting "that the cost of fourth-class mail service will not exceed by more than 10 percent the revenues therefrom."

TITLE IV—CIVIL SERVICE RETIREMENT

Sec. 401. The Civil Service Retirement Act of May 29, 1930, as amended, is amended to read as follows:

"Definitions

"SECTION 1. Wherever used in this act—

"(a) The term 'employee' shall mean a civilian officer or employee in or under the Government and, except for purposes of section 2, shall mean a person to whom this act applies.

"(b) The term 'Member' shall mean the Vice President, a United States Senator, Representative in Congress, Delegate from a Territory, or the Resident Commissioner from Puerto Rico and, except for purposes of section 2, shall mean a Member to whom this act applies.

"(c) The term 'congressional employee' means an employee of the Senate or House of Representatives or of a committee of either House, an employee of a joint committee of the two Houses, an elected officer of the Senate or House of Representatives who is not a Member of either House, the Legislative Counsel of the Senate and the Legislative Counsel of the House of Representatives and the employees in their respective offices, an Official Reporter of Debates of the Senate and a person employed by the Official Reporters of Debates of the Senate in connection with the performance of their official duties, a member of the Capitol Police force, an employee of the Vice President if such employee's compensation is disbursed by the Secretary of the Senate, and an employee of a Member if such employee's compensation is disbursed by the Secretary of the Senate or the Clerk of the House of Representatives.

"(d) The term 'basic salary' shall not include bonuses, allowances, overtime pay, or salary, pay, or compensation given in addition to the base pay of the position as fixed by law or regulation: *Provided*, That the term 'basic salary' shall not include military pay for persons who enter upon active military service after the effective date of this act: *And provided further*, That for employees paid on a fee basis, the maximum amount of basic salary which may be used shall be \$10,000 per annum. For a Member, the term 'basic salary' shall include, from April 1, 1954, to February 28, 1955, the amount received as expense allowance under section 601 (b) of the Legislative Reorganization Act of 1946, as amended, and such amount from January 3, 1953, to March 31, 1954, provided deposit is made thereon as provided in section 4.

"(e) The term 'average salary' shall mean the largest annual rate resulting from averaging, over any period of 5 consecutive years of creditable service, a Member's or an employee's rates of basic salary in effect during such period, with each rate weighted by the time it was in effect.

"(f) The term 'fund' shall mean the civil-service retirement and disability fund created by the act of May 22, 1920.

"(g) The terms 'disabled' and 'disability' shall mean totally disabled for useful and efficient service in the grade or class of position last occupied by the employee or Member by reason of disease or injury not due to vicious habits, intemperance, or willful misconduct on his part within the 5 years next prior to becoming so disabled.

"(h) The term 'widow,' for purposes of section 10, shall mean the surviving wife of an employee or Member who was married to such individual for at least 2 years immediately preceding his death or is the mother of issue by such marriage.

"(i) The term 'widower,' for purposes of section 10, shall mean the surviving husband of an employee or Member who was married to such employee or Member for at least 2 years immediately preceding her death or is the father of issue by such marriage. The term 'dependent widower,' for purposes of section 10, shall mean a 'widower' who is incapable of self-support by reason of mental or physical disability, and who received more than one-half his support from such employee or Member.

"(j) The term 'child,' for purposes of section 10, shall mean an unmarried child, including (1) an adopted child, and (2) a stepchild or recognized natural child who received more than one-half his support from and lived with the Member or employee in a regular parent-child relationship, under the age of 18 years, or such unmarried child regardless of age who because of physical or mental disability incurred before age 18 is incapable of self-support.

"(k) The term 'Government' shall mean the executive, judicial, and legislative branches of the United States Government, including Government-owned or controlled corporations and Gallaudet College, and the municipal government of the District of Columbia.

"(l) The term 'lump-sum credit' shall mean the unrefunded amount consisting of (1) the retirement deductions made from the basic salary of an employee or Member, (2) any sums deposited by an employee or Member covering prior service, and (3) interest on such deductions and deposits at 4 percent per annum to December 31, 1947, and 3 percent per annum thereafter compounded annually to December 31, 1956, or, in the case of an employee separated or transferred to a position not within the purview of this act before he has completed 5 years' service or a Member separated before he has completed 5 years of Member service, to the date of the separation or transfer. The lump-sum credit shall not include interest if the service covered thereby aggregates 1 year or less, nor shall it include interest for the fractional part of a month in the total service.

"(m) The term 'Commission' shall mean the United States Civil Service Commission.

"(n) The term 'annuitant' shall mean any former employee or Member who, on the basis of his service, has met all requirements of the act for title to annuity and has filed claim therefor.

"(o) The term 'survivor' shall mean a person who is entitled to annuity under this act based on the service of a deceased employee or Member or of a deceased annuitant.

"(p) The term 'survivor annuitant' shall mean a survivor who has filed claim for annuity.

"(q) The term 'service' shall mean employment which is creditable under section 3.

"(r) The term 'military service' shall mean honorable active service in the Army, Navy, Air Force, Marine Corps, or Coast Guard of the United States, but shall not include service in the National Guard except when ordered to active duty in the service of the United States.

"(s) The term 'Member service' shall mean service as a Member and shall include the

period from the date of the beginning of the term for which the Member is elected or appointed to the date on which he takes office as a Member.

"Coverage

"Sec. 2. (a) This act shall apply to each employee and member, except as hereinafter provided.

"(b) This act shall not apply to the President, to any judge of the United States as defined under section 451 of title 28 of the United States Code, or to any employee of the Government subject to another retirement system for Government employees.

"(c) This act shall not apply to any Member or to any congressional employee until he gives notice in writing, within 6 months after the date of entrance into the service, to the officer by whom his salary is paid, of his desire to come within the purview of this act.

"(d) This act shall not apply to any temporary congressional employee unless such employee is appointed at an annual rate of salary and gives notice in writing, within 6 months after the date of entrance into the service, to the officer by whom his salary is paid, of his desire to come within the purview of this act.

"(e) The Commission may exclude from the operation of this act any employee or group of employees in the executive branch of the United States Government, or of the District of Columbia government upon recommendation by its Commissioners, whose tenure of office or employment is temporary or intermittent, except that no employee shall be excluded under this subsection after he shall have had more than 12 months' continuous service.

"(f) This act shall not apply to any temporary employee of the Administrative Office of the United States Courts, of the courts specified in section 610 of title 28 of the United States Code; and the Architect of the Capitol and the Librarian of Congress are authorized to exclude from the operation of this act any employees under the office of the Architect of the Capitol and the Library of Congress, respectively, whose tenure of employment is temporary or of uncertain duration.

"(g) Notwithstanding any other provision of law or any Executive order, this act shall apply to each United States Commissioner whose total compensation for services rendered as United States Commissioner is not less than \$3,000 in each of the last 3 consecutive calendar years (1) ending prior to the effective date of the Civil Service Retirement Act amendments of 1956 or (2) ending prior to the first day of any calendar year which begins after such effective date. For the purposes of this act, the employment and compensation of each such United States Commissioner coming within the purview of this act pursuant to this subsection shall be held and considered to be on a daily basis when actually employed; but nothing in this act shall affect, otherwise than for the purposes of this act, the basis, under applicable law other than this act, on which such United States Commissioner is employed or on which his compensation is determined and paid.

"Creditable service

"Sec. 3. (a) An employee's service for the purposes of this act including service as a substitute in the postal service shall be credited from the date of original employment to the date of the separation upon which title to annuity is based in the civilian service of the Government. Credit shall similarly be allowed for service in the Pan American Sanitary Bureau. No credit shall be allowed for any period of separation from the service in excess of 3 calendar days.

"(b) An employee or Member shall be allowed credit for periods of military service prior to the date of the separation upon

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which title to annuity is based; however, if an employee or Member is awarded retired pay on account of military service, the period of service upon which such retired pay is based shall not be included, unless such retired pay is awarded on account of a service-connected disability incurred in line of duty or is awarded under title III of Public Law 810, 80th Congress, except that for purposes of section 9 (c) (1), a Member (1) shall be allowed credit only for periods of military service not exceeding 5 years, plus any military service performed by the Member upon leaving his office, for the purpose of performing such service, during any war or national emergency proclaimed by the President or declared by the Congress and prior to his final separation from service as Member and (2) may not receive credit for military service for which credit is allowed for the purposes of retired pay under any other provisions of law. Nothing in this act shall affect the right of an employee or a Member to retired pay, pension, or compensation in addition to the annuity herein provided.

"(c) Credit shall be allowed for leaves of absence granted an employee while performing military service or while receiving benefits under the Federal Employees' Compensation Act of September 7, 1916, as amended. Except for a substitute in the postal service, there shall be excluded from credit so much of any other leaves of absence without pay as may exceed 6 months in the aggregate in any calendar year.

"(d) An employee who during the period of any war, or of any national emergency as proclaimed by the President or declared by the Congress, has left or leaves his position to enter the military service shall not be considered, for the purposes of this act, as separated from his civilian position by reason of such military service, unless he shall apply for and receive a lump-sum benefit under this act.

"(e) The total service of an employee or Member shall be the full years and 12th parts thereof, excluding from the aggregate the fractional part of a month, if any.

"(f) An employee must have completed at least 5 years of civilian service before he shall be eligible for annuity under this act.

"(g) An employee or Member must have, within the 2-year period preceding any separation from service, other than a separation by reason of death or disability, completed at least 1 year of creditable civilian service during which he was subject to this act before he or his survivors shall be eligible for annuity under this act based on such separation. Failure to meet this service requirement shall not deprive the individual or his survivors of any annuity rights which attached upon a previous separation.

"(h) An employee who (1) has at least 5 years' Member service and (2) has served as a Member at any time after August 2, 1946, shall not be allowed credit for any service which is used in the computation of an annuity under section 9 (c).

"(i) In the case of each United States Commissioner who comes within the purview of this act pursuant to section 2 (g) of this act, service rendered prior to, on, or after the effective date of the Civil Service Retirement Act amendments of 1956 as United States Commissioner shall be credited for the purposes of this act on the basis of one three-hundred-and-thirtieth of a year for each day on which such United States Commissioner renders service in such capacity and which is not credited for the purposes of this act for service performed by him in any capacity other than United States Commissioner. Such credit shall not be granted for service rendered as United States Commissioner for more than 313 days in any 1 year.

"Deductions and deposits

"Sec. 4. (a) From and after the first day of the first pay period which begins after

December 31, 1956, there shall be deducted and withheld from each employee's basic salary an amount equal to 7 percent of such basic salary and from each Member's basic salary an amount equal to 8 percent of such basic salary. From and after the first day of the first pay period which begins after June 30, 1957, an equal sum shall also be contributed from the respective appropriation or fund which is used for payment of his salary, pay or compensation, or in the case of an elected official, from such appropriation or fund as may be available for payment of other salaries of the same office or establishment. The amounts so deducted and withheld by each department or agency, together with the amounts so contributed, shall, in accordance with such procedures as may be prescribed by the Comptroller General of the United States, be deposited by the department or agency in the Treasury of the United States to the credit of the fund. There shall also be so credited all deposits made by employees or members under this section. Amounts contributed under this subsection from appropriations of the Post Office Department shall not be considered as costs of providing postal service for the purpose of establishing postal rates.

"(b) Each employee or Member shall be deemed to consent and agree to such deductions from basic salary, and payment less such deductions shall be a full and complete discharge and acquittance of all claims and demands whatsoever for all regular services during the period covered by such payment, except the right to the benefits to which he shall be entitled under this act, notwithstanding any law, rule, or regulation affecting the individual's salary.

"(c) Each employee or Member credited with civilian service after July 31, 1920, for which, for any reason whatsoever, no retirement deductions or deposits have been made, may deposit with interest an amount equal to the following percentages of his basic salary received for such service:

	Percent- age of basic salary	Service period
Employee.....	2½.....	Aug. 1, 1920, to June 30, 1926.
	3½.....	July 1, 1926, to June 30, 1942.
	5.....	July 1, 1942, to June 30, 1948.
	6.....	July 1, 1948, to Dec. 31, 1956.
	7.....	After Dec. 31, 1956.
Member for Member serv- ice.	2½.....	Aug. 1, 1920, to June 30, 1926.
	3½.....	July 1, 1926, to June 30, 1942.
	5.....	July 1, 1942, to Aug. 1, 1946.
	6.....	Aug. 2, 1946, to Dec. 31, 1956.
	8.....	After Dec. 31, 1956.

"(d) Each employee or Member who has received a refund of retirement deductions under this or any other retirement system established for employees of the Government covering service for which he may be allowed credit under this act may deposit the amount received, with interest. No credit shall be allowed for the service covered by the refund until the deposit is made.

"(e) Interest under subsection (c) or (d) shall be computed from the midpoint of each service period included in the computation, or from the date refund was paid, to the date of deposit or commencing date of annuity, whichever is earlier. The interest shall be computed at the rate of 4 percent per annum to December 31, 1947, and 3 percent per annum thereafter compounded annually. Such deposit may be made in one or more installments.

"(f) Under such regulations as may be prescribed by the Commission, amounts de-

ducted under subsection (a) and deposited under subsections (c) and (d) shall be entered on individual retirement records.

"(g) No deposit shall be required for any service prior to August 1, 1920, for periods of military service or for an service to the Panama Railroad Company prior to January 1, 1924.

"Mandatory separation

"Sec. 5. (a) Except as hereinafter provided, an employee who shall have attained the age of 70 years and completed 15 years of service shall be automatically separated from the service. Such separation shall be effective on the last day of the month in which such employee attains the age of 70 years or completes 15 years of service if then beyond such age, and all salary shall cease from that day.

"(b) Each employing office shall notify each employee under its direction of the date of such separation from the service at least 60 days in advance thereof. That subsection (a) shall not take effect without the consent of the employee until 60 days after he has been so notified.

"(c) The President may, by Executive order, exempt from automatic separation under this section any employee when, in his judgment, the public interest so requires.

"(d) The automatic separation provisions of this section shall not apply to any person named in any act of Congress providing for the continuance of such person in the service, to any Member, to any congressional employee, to the Architect of the Capitol or any employee under the office of the Architect of the Capitol, or to any employee in the judicial branch within the classes made subject to the Civil Service Retirement Act of May 29, 1930, as amended, by the act of July 13, 1937.

"(e) In the case of an officer or employee of The Alaska Railroad, Territory of Alaska, or an officer or employee who is a citizen of the United States employed on the Isthmus of Panama by the Panama Canal Company or the Canal Zone Government, the provisions of this section shall apply upon his attaining the age of 62 years and completing 15 years of service on the Isthmus of Panama or in the Territory of Alaska.

"Immediate retirement

"Sec. 6. (a) Any employee who at attains the age of 60 years and completes 30 years of service shall, upon separation from the service, be paid an annuity computed as provided in section 9.

"(b) Any employee who attains the age of 55 years and completes 30 years of service shall, upon separation from the service prior to attainment of the age of 60 years, be paid a reduced annuity computed as provided in section 9.

"(c) Any employee the duties of whose position are primarily the investigation, apprehension, or detention of persons suspected or convicted of offenses against the criminal laws of the United States, including any employee engaged in such activity who has been transferred to a supervisory or administrative position, who attains the age of 50 years and completes 20 years of service in the performance of such duties, may, if the head of his department or agency recommends his retirement and the Commission approves, voluntarily retire from the service, and be paid an annuity computed as provided in section 9 (i). The head of the department or agency and the Commission shall give full consideration to the degree of hazard to which such employee is subjected in the performance of his duties, rather than the general duties of the class of the position held by such employee.

"(d) Any employee who completes 25 years of service or who attains the age of 50 years and completes 20 years of service shall, upon involuntary separation from the service, not by removal for cause on charges of miscon-

duct or delinquency, be paid a reduced annuity computed as provided in section 9.

"(e) Any employee who attains the age of 62 years and completes 5 years of service shall, upon separation from the service, be paid an annuity computed as provided in section 9.

"(f) Any member who attains the age of 62 years and completes 5 years of member service, or who attains the age of 60 years and completes 10 years of member service, shall, upon separation from the service, be paid an annuity computed as provided in section 9. No member or survivor of a member shall be entitled to receive an annuity under this act unless there shall have been deducted or deposited the amounts specified in section 4 with respect to his last 5 years of Member service.

"Disability retirement

"Sec. 7. (a) Any employee who completes 5 years of civilian service and who is found by the Commission to have become disabled shall, upon his own application or upon application by his department or agency, be retired on an annuity computed as provided in section 9. Any Member who completes 5 years of Member service and who is found by the Commission to have become disabled shall, upon his own application, be retired on an annuity computed as provided in section 9.

"(b) No claim shall be allowed under this section unless the application is filed with the Commission prior to separation of the employee or Member from the service or within 1 year thereafter. This time limitation may be waived by the Commission for an individual who at the date of separation from service or within 1 year thereafter is mentally incompetent, if the application is filed with the Commission within 1 year from the date of restoration of such individual to competency or the appointment of a fiduciary, whichever is the earlier.

"(c) Each annuitant retired under this section or under section 6 of the act of May 29, 1930, as amended, unless his disability is permanent in character, shall at the expiration of 1 year from the date of such retirement and annually thereafter, until reaching age 60, be examined under the direction of the Commission. If the annuitant fails to submit to examination as required under this section, payment of the annuity shall be suspended until continuance of the disability is satisfactorily established.

"(d) If such annuitant, before reaching age 60, recovers from his disability or is restored to an earning capacity fairly comparable to the current rate of compensation of the position occupied at the time of retirement, payment of the annuity shall cease (1) upon reemployment by the Government, (2) 1 year from the date of the medical examination showing such recovery, or (3) 1 year from the date of determination that he is so restored, whichever is earliest. Earning capacity shall be deemed restored if in each of 2 succeeding calendar years the income of the annuitant from wages or self-employment or both shall equal at least 80 percent of the current rate of compensation of the position occupied immediately prior to retirement.

"(e) If such annuitant whose annuity is discontinued under subsection (d) is not reemployed in any position included in the provisions of this act, he shall be considered, except for service credit, as having been involuntarily separated from the service for the purposes of this act as of the date of discontinuance of the disability annuity and shall, after such discontinuance, be entitled to annuity in accordance with the applicable provisions of this act.

"(f) No person shall be entitled to receive an annuity under this act and compensation for injury or disability to himself under the Federal Employees' Compensation Act of September 7, 1916, as amended, covering the same

period of time. This provision shall not bar the right of any claimant to the greater benefit conferred by either act for any part of the same period of time. Neither this provision nor any provision in such act of September 7, 1916, as amended, shall deny to any person an annuity accruing to such person under this act on account of service rendered by him, or deny any concurrent benefit to such person under such act of September 7, 1916, as amended, on account of the death of any other person.

"(g) Notwithstanding any provision of law to the contrary, the right of any person entitled to an annuity under this act shall not be affected because such person has received an award of compensation in a lump sum under section 14 of the act of September 7, 1916, as amended, except that where such annuity is payable on account of the same disability for which compensation under such section has been paid, so much of such compensation as has been paid for any period extended beyond the date such annuity becomes effective, as determined by the Department of Labor, shall be refunded to the Department of Labor, to be covered into the Federal Employees' Compensation Fund. Before such person shall receive such annuity he shall (1) refund to such Department the amount representing such commuted payments for such extended period, or (2) authorize the deduction of such amount from the annuity payable to him under this act, which amount shall be transmitted to such Department for reimbursement to such fund. Deductions from such annuity may be made from accrued and accruing payments, or may be prorated against and paid from accruing payments in such manner as the Department of Labor shall determine, whenever it finds that the financial circumstances of the annuitant are such as to warrant such deferred refunding.

"Deferred retirement

"Sec. 8. (a) Any employee who is separated from the service or transferred to a position not within the purview of this act after completing 5 years of civilian service may be paid an annuity beginning at the age of 62 years computed as provided in section 9.

"(b) Any Member who is separated from the service as a Member after completing 5 years of Member service may be paid an annuity beginning at the age of 62 years, computed as provided in section 9.

"Computation of annuity

"Sec. 9. (a) Except as otherwise provided in this section, the annuity of an employee retiring under this act shall be (1) the larger of (A) $1\frac{1}{2}$ percent of the average salary multiplied by so much of the total service as does not exceed 5 years, or (B) 1 percent of the average salary, plus \$25, multiplied by so much of the total service as does not exceed 5 years, plus (2) the larger of (A) 2 percent of the average salary multiplied by so much of the total service as exceeds 5 years, or (B) 1 percent of the average salary, plus \$25, multiplied by so much of the total service as exceeds 5 years: *Provided*, That the annuity shall not exceed 80 percent of the average salary: *Provided further*, That the annuity of an employee retiring under section 7 shall be at least (1) 40 percent of the average salary or (2) the sum obtained under this subsection after increasing his total service by the period elapsing between the date of separation and the date he attains the age of 60 years, whichever is the lesser, but this proviso shall not increase the annuity of any survivor.

"(b) The annuity of a congressional employee retiring under this act shall, if he so elects at the time his annuity commences, be (1) $2\frac{1}{2}$ percent of the average salary multiplied by his military service and service as a congressional employee, not exceeding a total of 15 years, plus (2) $1\frac{1}{2}$ percent

of the average salary multiplied by so much of the remainder of his total service as does not exceed 5 years, plus (3) 2 percent of the average salary multiplied by so much of the remainder of his total service as exceeds 5 years: *Provided*, That the annuity shall not exceed 80 percent of the average salary. This subsection shall not apply unless the congressional employee (1) has had at least 5 years' service as a congressional employee, (2) has had deductions withheld from his salary or made deposit covering his last 5 years of civilian service, and (3) has served as a congressional employee during the last 11 months of his civilian service: *Provided further*, That the annuity of a congressional employee retiring under section 7 shall be at least (1) 40 percent of the average salary or (2) the sum obtained under this subsection after increasing his service as a congressional employee by the period elapsing between the date of separation and the date he attains the age of 60 years, whichever is the lesser, but this provision shall not increase the annuity of any survivor.

"(c) The annuity of a Member retiring under this act shall be an amount equal to—

"(1) $2\frac{1}{2}$ percent of the average salary multiplied by the total of his Member and creditable military service;

"(2) $2\frac{1}{2}$ percent of the average salary multiplied by his total years of service, not exceeding 15, performed as a congressional employee prior to his separation from service as a Member, other than any such service which he may elect to exclude;

"(3) $1\frac{1}{2}$ percent of such average salary multiplied by so much of his total service, other than service used in computing annuity under clauses (1) and (2), as does not exceed 5 years, performed prior to his separation from service as a Member, and other than any such service which he may elect to exclude; and

"(4) 2 percent of such average salary multiplied by his total service, other than service used in computing annuity under clauses (1), (2), and (3), performed prior to his separation from service as a Member, and other than any such service which he may elect to exclude.

In no case shall an annuity computed under this subsection exceed 80 percent of the basic salary that he is receiving at the time of such separation from the service, and in no case shall the annuity of a Member retiring under section 7 be less than (A) 40 percent of the average salary or (B) the sum obtained under this subsection after increasing his Member service by the period elapsing between the date of separation and the date he attains the age of 60 years, whichever is the lesser, but this provision shall not increase the annuity of any survivor.

"(d) The annuity as hereinbefore provided, for an employee retiring under section 6 (b) or 6 (d), shall be reduced by one-twelfth of 1 percent for each full month not in excess of 60, and one-sixth of 1 percent for each full month in excess of 60, such employee is under the age of 60 years at date of separation.

"(e) The annuity as hereinbefore provided shall be reduced by 10 percent of any deposit described in section 4 (c) remaining unpaid, unless the employee or Member shall elect to eliminate the service involved for purposes of annuity computation.

"(f) Any employee or Member retiring under section 6, 7, or 8 may at the time of retirement elect a reduced annuity, in lieu of the annuity as hereinbefore provided, and designate in writing his wife or husband to receive an annuity after the retired individual's death computed as provided in section 10 (a) (1). The annuity of the employee or Member making such election, excluding any increase because of retirement under section 7, shall be reduced by $2\frac{1}{2}$ percent of so much of the portion thereof designated

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under section 10 (a) (1) as does not exceed \$2,400 and by 10 percent of so much of the portion so designated as exceeds \$2,400.

"(g) Any unmarried employee or Member retiring under section 6 or 8, and found by the Commission to be in good health, may at the time of retirement elect a reduced annuity, in lieu of the annuity as hereinbefore provided, and designate in writing a person having an insurable interest in the employee or Member to receive an annuity after the retired individual's death. The annuity payable to the employee or Member making such election shall be reduced by 10 percent of an annuity computed as provided in section 9 and by 5 percent of an annuity so computed for each full 5 years the person designated is younger than the retiring employee or Member, but such total reduction shall not exceed 40 percent.

"(h) The annuity as hereinbefore provided, for an employee who is a citizen of the United States, shall be increased by \$36 multiplied by total service in the employ of either the Alaska Engineering Commission or the Alaska Railroad in the Territory of Alaska between March 12, 1914 and July 1, 1923, or in the employ of either the Isthmian Canal Commission or the Panama Railroad Company on the Isthmus of Panama between May 4, 1904, and April 1, 1914.

"(i) The annuity of an employee retiring under section 6 (c) shall be 2 percent of the average salary multiplied by the total service: *Provided*, That the annuity shall not exceed 80 percent of the average salary.

"Survivor annuities

"Sec. 10. (a) (1) If a Member or employee dies after having retired under any provision of this act and is survived by a wife or husband designated under section 9 (f) such wife or husband shall be paid an annuity equal to 50 percent of so much of an annuity computed as provided in subsections (a), (b), (c), (d), and (e) of section 9, as may apply with respect to the annuitant, as is designated in writing for such purpose by such Member or employee at the time he makes the election provided for by section 9 (f).

"(2) An annuity computed under this subsection shall begin on the first day of the month in which the retired employee dies, and such annuity or any right thereto shall terminate upon the survivor's death or remarriage.

"(b) The annuity of a survivor designated under section 9 (g) shall be 50 percent of the reduced annuity computed as provided in subsections (a), (b), (c), (d), (e), and (g) of section 9 as may apply with respect to the annuitant. The annuity of such survivor shall begin on the first day of the month in which the retired employee dies, and such annuity or any right thereto shall terminate upon the survivor's death.

"(c) If an employee dies after completing at least 5 years of civilian service, or a Member dies after completing at least 5 years of Member service, the widow or dependent widower of such employee or Member shall be paid an annuity equal to 50 percent of an annuity computed as provided in subsections (a), (b), (c), and (e) of section 9 as may apply with respect to the employee or Member. The annuity of such widow or dependent widower shall begin on the first day of the month after the employee or Member dies, and such annuity or any right thereto shall terminate upon death or remarriage of the widow or widower, or upon the widower's becoming capable of self-support.

"(d) If an employee dies after completing 5 years of civilian service or a Member dies after completing 5 years of Member service, or an employee or a Member dies after having retired under any provision of the act, and is survived by a wife or by a husband who is incapable of self-support by reason of mental or physical disability and who received more than one-half of his sup-

port from such employee or Member, each surviving child shall be paid an annuity equal to the smallest of (1) 40 percent of the employee's or Member's average salary divided by the number of children, (2) \$600, or (3) \$1,800 divided by the number of children. If such employee or Member is not survived by a wife or husband, each surviving child shall be paid an annuity equal to the smallest of (1) 50 percent of the employee's or Member's average salary divided by the number of children, (2) \$720, or (3) \$2,160 divided by the number of children. The child's annuity shall begin on the first day of the month after the employee or Member dies, and such annuity or any right thereto shall terminate upon (1) his attaining age 18 unless incapable of self-support, (2) his becoming capable of self-support after age 18, (3) his marriage, or (4) his death. Upon the death of the wife or dependent husband or termination of the annuity of the child, the annuity of any other child or children shall be recomputed and paid as though such wife, dependent husband, or child had not survived the employee or Member.

"Lump-sum benefits

"Sec. 11. (a) Any employee who is separated or transferred to a position not within the purview of this act after he has completed 5 but less than 20 years of service, and any Member who is separated after he has completed 5 but less than 20 years of Member service, shall upon application therefor be paid the lump-sum credit. Any employee who is separated or transferred to a position not within the purview of this act before he has completed 5 years' service, and any Member who is separated before he has completed 5 years of Member service, shall be paid the lump-sum credit. The receipt of payment of the lump-sum credit by the individual shall void all annuity rights under this act, unless and until he shall be reemployed in the service subject to this act.

"(b) Each present or former employee or Member may, under regulations prescribed by the Commission, designate a beneficiary or beneficiaries for the purposes of this act.

"(c) Lump-sum benefits authorized under subsections (d), (e), and (f) of this section shall be paid in the following order of precedence to such person or persons surviving the employee or Member and alive at the date title to the payment arises, and such payment shall be a bar to recovery by any other person:

"First, to the beneficiary or beneficiaries designated by the employee or Member in a writing received in the Commission prior to his death;

"Second, if there be no such beneficiary, to the widow or widower of the employee or Member;

"Third, if none of the above, to the child or children of the employee or Member and descendants of deceased children by representation;

"Fourth, if none of the above, to the parents of the employee or Member or the survivor of them;

"Fifth, if none of the above, to the duly appointed executor or administrator of the estate of the employee or Member;

"Sixth, if none of the above, to other next of kin of the employee or Member as may be determined by the Commission to be entitled under the laws of the domicile of the individual at the time of his death.

"(d) If an employee or Member dies (1) without a survivor, or (2) with a survivor or survivors and the right of all survivors shall terminate before claim for survivor annuity is filed, or if a former employee or Member not retired dies, the lump-sum credit shall be paid.

"(e) If all annuity rights under this act based on the service of a deceased employee or Member shall terminate before the total

annuity paid equals the lump-sum credit, the difference shall be paid.

"(f) If an annuitant dies any annuity accrued and unpaid shall be paid.

"(g) Any annuity accrued and unpaid upon the termination (other than by death) of the annuity of any annuitant or survivor annuitant shall be paid to such person. Any survivor annuity accrued and unpaid upon the death of any survivor annuitant shall be paid in the following order of precedence, and such payment shall be a bar to recovery by any other person:

"First, to the duly appointed executor or administrator of the estate of the survivor annuitant;

"Second, if there is no such executor or administrator, payment may be made, after the expiration of 30 days from the date of death of such survivor annuitant, to such next of kin of the survivor annuitant as may be determined by the Commission to be entitled under the laws of the survivor annuitant's domicile at the time of his death.

"Additional annuities

"Sec. 12. (a) Any employee or Member may, under regulations prescribed by the Commission, voluntarily contribute additional sums in multiples of \$25, but the total may not exceed 10 percent of his basic salary for his creditable service from and after August 1, 1920. The voluntary contribution account in each case shall be the sum of such unrefunded contributions, plus interest at 3 percent per annum compounded annually to date of separation or transfer to a position not within the purview of this act or, in case of an individual who is separated with title to a deferred annuity and does not claim the voluntary contribution account, to the commencing date fixed for such deferred annuity or date of death, whichever is earlier.

"(b) Such voluntary contribution account shall be used to purchase at retirement an annuity in addition to the annuity otherwise provided. For each \$100 in such voluntary contribution account, the additional annuity shall consist of \$7 increased by 20 cents for each full year, if any, such employee or Member is over the age of 55 years at the date of retirement.

"(c) A retiring employee or Member may elect a reduced additional annuity in lieu of the additional annuity described in subsection (b) and designate in writing a person to receive after his death an annuity of 50 percent of his reduced additional annuity. The additional annuity of the employee or Member making such election shall be reduced by 10 percent, and by 5 percent for each full 5 years the person designated is younger than the retiring employee or Member, but such total reduction shall not exceed 40 percent.

"(d) Any employee or Member who is separated from the service before becoming eligible for immediate or deferred annuity or who transfers to a position wherein he does not continue subject to this act shall be paid the voluntary contribution account. Any employee or Member who is separated from the service after becoming eligible for a deferred annuity under section 8 may elect to receive, in lieu of additional annuity, the voluntary contribution account, provided his separation occurs and application for payment is filed with the Commission at least 31 days before the commencing date of annuity.

"(e) If any present or former employee or Member not retired dies, the voluntary contribution account shall be paid under the provisions of section 11 (c). If all additional annuities or any right thereto based on the voluntary contribution account of a deceased employee or Member terminate before the total additional annuity paid equals such account, the difference shall be paid under the provisions of section 11 (c).

"Reemployment of annuitants"

"Sec. 13. (a) Notwithstanding any other provision of law, an annuitant heretofore or hereafter retired under this act shall not, by reason of his retired status, be barred from employment in any appointive position for which he is qualified. An annuitant so reemployed shall serve at the will of the appointing officer.

"(b) If an annuitant under this act (other than (1) a disability annuitant whose annuity is terminated by reason of his recovery or restoration of earning capacity, or (2) a Member retired under this act) hereafter become employed in an appointive or elective position subject to this act, annuity payments shall be discontinued during such employment and deductions for the retirement funds shall be withheld from his salary. If such annuitant performs actual fulltime service for a period of at least 1 year, his right to future annuity shall be determined upon the basis of the law in effect at the time of termination of such period of employment and service performed during such period shall be credited for such purpose. If such annuitant does not perform actual fulltime service for a period of at least 1 year, his annuity payments shall be resumed in the same amount and amounts deducted from his salary during such period of employment shall be returned upon the expiration of such period. If an annuitant under this act (other than (1) a disability annuitant whose annuity is terminated by reason of his recovery or restoration of earning capacity, or (2) a Member retired under this act) hereafter becomes employed in an appointive or elective position not subject to this act, annuity payments shall be discontinued during such reemployment and resumed in the same amount upon termination of such employment.

"(c) If a Member heretofore or hereafter retired under this act hereafter becomes employed in an appointive or elective position, annuity payments shall be discontinued during such employment and resumed in the same amount upon termination of such employment: *Provided*, That if such retired Member takes office as Member and gives notice as provided in section 2 (c), his service as Member during such period shall be credited in determining his right to and the amount of his subsequent annuity.

"Payment of benefits"

"Sec. 14. (a) Each annuity is stated as an annual amount, one-twelfth of which, fixed at the nearest dollar, accrues monthly and is payable on the first business day of the month after it accrues.

"(b) Except as otherwise provided, the annuity of an employee shall commence on the first of the month after separation from the service, or on the first of the month after salary ceases provided the employee meets the service and the age or disability requirements for title to annuity at that time. The annuity of a Member or of an elected officer of the Senate or House of Representatives shall commence of the day following the day on which salary shall cease provided the person entitled to such annuity meets the service and the age or disability requirements for title to annuity at that time. The annuity of an employee or Member under section 8 shall commence on the first of the month after the occurrence of the event on which payment of the annuity is based.

"(c) An annuity shall terminate on the last day of the month preceding the month in which death or any other terminating event provided in this act occurs.

"(d) Any person entitled to annuity from the fund may decline to accept all or any part of such annuity by a waiver signed and filed with the Commission. Such waiver may be revoked in writing at any time, but no payment of the annuity waived shall be

made covering the period during which such waiver was in effect.

"(e) Where any payment is due a minor, or a person mentally incompetent or under other legal disability, such payment may be made to the person who is constituted guardian or other fiduciary by the law of the State of residence of such claimant or is otherwise legally vested with the care of the claimant or his estate: *Provided*, That where no guardian or other fiduciary of the person under legal disability has been appointed under the laws of the State of residence of the claimant, payment may be made to any person who, in the judgment of the Commission, is responsible for the care of the claimant, and such payment shall be a bar to recovery by any other person.

"Exemption from legal processes"

"Sec. 15. (a) None of the moneys mentioned in this act shall be assignable, either in law or equity, or be subject to execution, levy, attachment, garnishment, or other legal process.

"(b) Notwithstanding any other provision of law, there shall be no recovery of any payments under this act from any person when, in the judgment of the Commission, such person is without fault and such recovery would be contrary to equity and good conscience; nor shall there be any withholding of recovery of any moneys mentioned in this act on account of any certification or payment made by any former employee of the United States in the discharge of his official duties unless the head of the department or agency on behalf of which the certification or payment was made certifies to the Commission that such certification or payment involved fraud on the part of such employee.

"Administration"

"Sec. 16 (a) This act shall be administered by the Commission. Except as otherwise specifically provided herein, the Commission is hereby authorized and directed to perform, or cause to be performed, any and all acts and to make such rules and regulations as may be necessary and proper for the purpose of carrying the provisions of this act into full force and effect.

"(b) Applications under this act shall be in such form as the Commission shall prescribe, and shall be supported by such certificates from departments or agencies as the Commission may deem necessary to the determination of the rights of applicants. The Commission shall adjudicate all claims under this act.

"(c) Questions of dependency and disability arising under this act shall be determined by the Commission and its decisions with respect to such matters shall be final and conclusive and shall not be subject to review. The Commission may order or direct at any time such medical or other examinations as it shall deem necessary to determine the facts relative to the disability or dependency of any person receiving or applying for annuity under this act, and may suspend or deny any such annuity for failure to submit to any such examination.

"(d) An appeal to the Commission shall lie from any administrative action or order affecting the rights or interests of any person or of the United States under this act, the procedure on appeal to be prescribed by the Commission.

"(e) Fees for examinations made under the provisions of this act, by physicians or surgeons who are not medical officers of the United States, shall be fixed by the Commission, and such fees, together with reasonable traveling and other expenses incurred in connection with such examinations, shall be paid out of the appropriations for the cost of administering this act.

"(f) The Commission shall publish an annual report upon the operations of this act.

"(g) The Commission is hereby authorized and directed to select three actuaries, to be known as the Board of Actuaries of the Civil Service Retirement System. It shall be the duty of such Board to report annually upon the actuarial status of the system and to furnish its advice and opinion on matters referred to it by the Commission, and it shall have the authority to recommend to the Commission and to the Congress such changes as in the Board's judgment may be deemed necessary to protect the public interest and maintain the system upon a sound financial basis. The Commission shall keep or cause to be kept such records as it deems necessary for making periodic actuarial valuations of the Civil Service Retirement System, and the Board shall make such valuations at intervals of 5 years, or oftener if deemed necessary by the Commission. The compensation of the members of the Board of Actuaries, exclusive of such members as are in the employ of the United States, shall be fixed by the Commission.

"Civil service retirement and disability fund"

"Sec. 17. (a) The fund is hereby appropriated for the payment of benefits as provided in this act.

"(b) The Secretary of the Treasury is hereby authorized to accept and credit to the fund moneys received in the form of donations, gifts, legacies, or bequests, or otherwise contributed for the benefit of civil-service employees generally.

"(c) The Secretary of the Treasury shall immediately invest in interest-bearing securities of the United States, such currently available portions of the fund as are not immediately required for payments from the fund, and the income derived from such investments shall constitute a part of the fund.

"(d) The purposes for which obligations of the United States may be issued under the Second Liberty Bond Act, as amended, are hereby extended to authorize the issuance at par of public-debt obligations for purchase by the fund. Such obligations issued for purchase by the fund shall have maturities fixed with due regard for the needs of the fund and bear interest at a rate equal to the average rate of interest computed as to the end of the calendar month next preceding the date of such issue, borne by all marketable interest-bearing obligations of the United States then forming a part of the public debt that are not due or callable until after the expiration of 5 years from the date of original issue; except that where such average rate is not a multiple of one-eighth of 1 percent, the rate of interest of such obligations shall be multiple of one-eighth of 1 percent nearest such average rate. Such obligations shall be issued for purchase by the fund only if the Secretary of the Treasury determines that the purchase in the market of other interest-bearing obligations of the United States, or of obligations guaranteed as to both principal and interest by the United States on original issue or at the market price, is not in the public interest.

"Short title"

"Sec. 18. This act may be cited as the 'Civil Service Retirement Act'."

Members of faculty of Naval Academy

Sec. 402. (a) On and after the effective date of this title persons employed as members of the civilian faculties of the United States Naval Academy and the United States Naval Postgraduate School shall be included within the terms of the Civil Service Retirement Act, and on and after that date the act of January 16, 1936 (49 Stat. 1092), as amended, shall not apply to such persons.

(b) In lieu of the deposit prescribed by section 4 (c) of the Civil Service Retirement Act, an employee who by virtue of subsection (a) is included within the terms of such

act shall deposit, for service rendered prior to the effective date of this title as a member of the civilian faculty of the United States Naval Academy or of the United States Naval Postgraduate School, a sum equal to so much of the repurchase price of his annuity policy carried as required by the act of January 16, 1936, as amended, as is based on the monthly allotments which were registered with the Navy Allotment Office toward the purchase of that annuity, the deposit to be made within 6 months after the effective date of this title. Should the deposit not be made within that period no credit shall be allowed under the Civil Service Retirement Act for service rendered as a member of the civilian faculty of the United States Naval Academy or of the United States Naval Postgraduate School subsequent to July 31, 1920, and prior to the effective date of this title. If the deposit is made, such service shall be held and considered to be service during which the employee was subject to the Civil Service Retirement Act.

Retrospective application of certain benefits

Sec. 403. The amendment approved September 30, 1949 (Public Law 310, 81st Cong.), to section 4 (b) of the Civil Service Retirement Act of May 29, 1930, as amended, insofar as it relates to the amount of the reduction in the annuities of officers and employees who elect to receive reduced annuities under such section, shall take effect as of April 1, 1948, but no increase in annuity shall be payable by reason of such amendment, to those who retired on or after July 1, 1948, and prior to October 1, 1949, for any period prior to the first day of the first month which begins after the effective date of this title.

Continuation of prior rights

Sec. 404. Except as otherwise provided, the amendments made by this title shall not apply in the case of employees or Members retired or otherwise separated prior to its effective date, and the rights of such persons and their survivors shall continue in the same manner and to the same extent as if this title had not been enacted.

Vice President

Sec. 405. The notice required by section 2 (c) of the Civil Service Retirement Act may be given, by any person holding the office of Vice President on the effective date of this title, at any time within 15 days after such effective date, and in the case of any such person service performed in such office shall be considered service during which he was subject to such act for the purpose of section 3 (g) thereof.

Future salary increases to include increases to annuitants

Sec. 406. It is the policy of the Congress that whenever in the future any general adjustment is made in the salaries of Government employees, corresponding adjustments should be made in the annuities of retired employees.

Forfeiture of annuities of persons remaining outside United States to avoid prosecution

Sec. 407. The act entitled "An act to prohibit payment of annuities to officers and employees of the United States convicted of certain offenses, and for other purposes," approved September 1, 1954 (68 Stat. 1142), is amended by adding at the end of section 2 thereof a new subsection as follows:

"(c) In any case in which, after the date of enactment of this subsection, any person under indictment for any offense within the purview of the first section of this Act willfully remains outside the United States, its Territories, and possessions, for a period in excess of 1 year with knowledge of such indictment, no annuity or retired pay shall be paid, for any period subsequent to the end of such 1-year period to such person or to the survivor or beneficiary of such person, on the basis of the service of such person, as an officer or employee of the Government un-

less and until a nolle prosequi to the entire indictment is entered upon the record or such person returns and thereafter the indictment is dismissed or after trial by court the accused is found not guilty of the offense or offenses charged in the indictment."

Effective date

Sec. 408. This title shall take effect on January 1, 1957.

Short title

Sec. 409. This title may be cited as the "Civil Service Retirement Act Amendments of 1956."

TITLE V—ADDITIONAL SCIENTIFIC AND PROFESSIONAL POSITIONS

Sec. 501. (a) Subsections (a) and (b) of the first section of the act of August 1, 1947 (61 Stat. 715; Public Law 313, 80th Cong.), as amended, are amended to read as follows:

"(a) The Secretary of Defense is authorized to establish and fix the compensation for not more than 275 positions in the Department of Defense and not more than 50 positions in the National Security Agency, each such position being established to effectuate those research and development functions, relating to the national defense, military and naval medicine, and any and all other activities of the Department of Defense and the National Security Agency, as the case may be, which require the services of specially qualified scientific or professional personnel.

"(b) The Chairman of the National Advisory Committee for Aeronautics is authorized to establish and fix the compensation for, in the headquarters and research stations of the National Advisory Committee for Aeronautics, not to exceed 60 positions in the professional and scientific service, each such position being established in order to enable the National Advisory Committee for Aeronautics to secure and retain the services of specially qualified personnel necessary in the discharge of the duty of the Committee to supervise and direct the scientific study of the problems of flight with a view to their practical solution.

"(c) The Secretary of the Interior is authorized to establish and fix the compensation for not to exceed 10 positions of a professional or scientific nature in the Department of the Interior, each such position being established in order to enable the Department of the Interior to effectuate those research and development functions and activities of such Department which require the services of specially qualified professional or scientific personnel.

"(d) The Secretary of Commerce is authorized to establish and fix the compensation for not to exceed 35 positions of a professional or scientific nature in the Department of Commerce, each such position being established in order to enable the Department of Commerce to effectuate those research and development functions and activities of such Department which require the services of specially qualified professional or scientific personnel."

(b) Nothing contained in the amendment made to such act of August 1, 1947, by subsection (a) of this section shall affect any position existing under authority of subsection (a) of the first section of such act of August 1, 1947, as in effect immediately prior to the effective date of such amendment, the compensation attached to any such position, and any incumbent thereof, his appointment thereto, and his right to receive the compensation attached thereto, until appropriate action is taken under authority of subsection (a) of such first section of such act of August 1, 1947, as contained in the amendment made by subsection (a) of this section.

(c) Subsection (c) of the first section of such act of August 1, 1947, as amended, is hereby redesignated subsection (e) of such first section.

(d) Section 3 of such Act of August 1, 1947, as amended, is amended to read as follows:

"Sec. 3. (a) Each officer, with respect to positions established by him under this act, shall submit to the Congress not later than February 1 of each year, a report which sets forth—

"(1) the number of such positions so established or in existence during the immediately preceding calendar year.

"(2) the name, rate of compensation, and description of the qualifications of each incumbent of each such position, together with the position title and a statement of the functions, duties, and responsibilities performed by each such incumbent, except that nothing contained in this section shall require the resubmission of information required under this paragraph which has been reported pursuant to this section and which remains unchanged, and

"(3) such other information as he deems appropriate or which may be required by the Congress or a committee thereof.

"(b) In any instance in which any officer so required to submit such report may find full public disclosure of any or all of the above-specified items to be detrimental to the national security such officer is authorized—

"(1) to omit in his annual report those items with respect to which full public disclosure is found by him to be detrimental to the national security.

"(2) to inform the Congress of such omission, and

"(3) at the request of any congressional committee to which such report is referred, to present all information concerning such items."

Mr. JOHNSON of Texas. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. I hope the Senator from South Carolina [Mr. JOHNSON] will make a statement explaining the bill.

Mr. JOHNSTON of South Carolina. Mr. President, H. R. 7619, which passed the House during the closing hours of the first session of the 84th Congress, related only to the pay of certain Federal officials.

The committee amendment strikes out all of the bill after the enacting clause and substitutes therefor a new bill greatly more comprehensive than the House bill.

Title 1 of the bill increases the rates of pay for the heads of executive departments and other Federal officials.

Title 2 of the bill relates to the organization and management of the Civil Service Commission.

Title 3 of the bill relates to the establishment and classification of a number of positions in the executive departments. Also, title 3 contains a section relating to the affairs of the Post Office Department.

Title 4 of the bill relates to civil service retirement.

Title 5 authorizes the establishment of additional scientific positions in several departments of the Government.

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Mr. President, title 1 of the bill establishes a new pay structure for top officials of the Government. The new structure provides \$25,000 for Cabinet positions; \$22,500 for a small number of officials outside the Cabinet who, nevertheless, participate in Cabinet meetings or have other unusual responsibility; \$22,000 for the Secretaries of the armed services; \$21,000 for Under Secretaries and comparable positions; \$20,500 for the chairmen of boards and commissions and positions of comparable responsibility; \$20,000 for members of boards and commissions and for Assistant Secretaries; \$19,000 for two groups of commissioners—Indian Claims Commissioners and Commissioners of the United States Court of Claims—who are of a semijudicial nature; \$15,000 may be paid to representatives and alternates to UNESCO.

The rates of pay of grades 17 and 18 of the Classification Act are adjusted to conform with the general pay pattern.

The rates of pay of the three highest grades of the Postal Field Service are similarly adjusted.

The salaries of the top medical men of the Veterans' Administration are raised.

The ceiling is raised on salaries which may be paid to a limited number of scientific personnel engaged in research and development activities.

This title of the bill also provides for the adjustment in the pay of isolated positions here and there in the Federal service.

Mr. President, title 2 of the bill, which relates to the organization of the Civil Service Commission, provides—

First, that the term of each Civil Service Commissioner shall be 6 years, except that the terms of the present three Commissioners shall be 2, 4, and 6 years, respectively, in order to establish the tenure of the Commissioners on a proper rotation basis.

Secondly, it is provided that the President shall, from time to time, designate a Chairman and Vice Chairman of the Commission, who shall, in order, be responsible for the administration and function of the Civil Service Commission. In the absence of both the Chairman and Vice Chairman, the third Commissioner would become the responsible head of the Commission. On rare occasion, when all three Commissioners might be absent, the Executive Director would be the responsible head of the Commission.

At present, the Executive Director is responsible for the operation of the Commission. In the absence of the Executive Director, the Assistant takes over, and in his absence, the Second Assistant, and so forth.

This is not a good situation. The Commissioners do not now possess the responsibility that they should have in order to do an effective job. The bill provides that the redelegation of responsibility to the Commissioners shall take effect on the date of enactment of the bill.

Mr. PASTORE. Mr. President, will the Senator yield for an observation?

Mr. JOHNSTON of South Carolina. I yield.

Mr. PASTORE. I must leave the floor, and before doing so I wish to say to the Members of the Senate that it was a privilege for me to serve with the Senator from South Carolina and with the ranking member of the committee, the Senator from Kansas [Mr. CARLSON] and with every member of the committee. The subject under consideration by the Senate received thorough study by the subcommittee. The conclusions arrived at were not quickly or easily reached, but only after a very analytical and exhaustive, and extensive, and thorough study of all the phases of the subject.

I wish to take occasion to congratulate the chairman and every member of the subcommittee for the fine work they did on the pending bill, as well as to congratulate the members of the staff of the committee.

The pay increases provided in the bill are sorely needed. I believe they reflect the prestige of the important positions in the Government service. The bill will do much to keep up and raise the morale of our Government employees in the higher echelon.

A short time ago we did something for the benefit of the rank and file Government employees. Today we are doing something for officials in the upper echelon, who have been neglected for a long time—perhaps for too long a time.

Again I wish to say that the Senate ought to be appreciative of the fine work which was done by the distinguished chairman of the committee. I hope the Senate will show its appreciation by voting favorably on the bill.

Mr. JOHNSTON of South Carolina. Mr. President, I thank the junior Senator from Rhode Island, and I wish to add one thing to what he has said. It is that as a member of the full committee he worked a great deal with us on the subcommittee. His help was very beneficial to us in arriving at our final conclusions, which are contained in the pending bill. I wish to thank him for his patience and his attention to the subject.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. KNOWLAND. I should like to have additional information, because, frankly, I have not come to any final conclusion on the provisions of the bill which relate to the Civil Service Commission. For the benefit of the legislative record I should like to ask the distinguished chairman of the committee whether, in regard to the particular section which has been added, any testimony was taken before the committee.

Mr. JOHNSTON of South Carolina. I will say to the Senator from California that the committee had been making a study of that subject for the past 2 years, as the ranking minority member of the committee will bear me out. Likewise, a very thorough study was made by the House committee. I might say that the Senate appropriated additional money to our committee for the purpose of making that study.

Mr. KNOWLAND. I should like to ask the Senator another question, and I ask it without any partisanship at all, because the situation I am about to de-

scribe would apply whether the administration was Republican or Democratic.

I suppose the thought behind the enactment of the present law was that, since the Executive is charged with the administration of the executive branch of the Government, he should be free to appoint the members of the Civil Service Commission and to remove them at his pleasure. I wonder whether the distinguished chairman could discuss that subject.

Mr. JOHNSTON of South Carolina. I should like to say to the Senator from California that that provision has not been changed; the President still has the right to make the appointments. I shall be glad to go into that a little later.

Mr. KNOWLAND. Will the Senator go into it for the benefit of the Record? I should like to have him develop the difference between the law as it now stands and what the law would be under the proposed amendment which the committee is offering, which would provide for a staggered term arrangement. In a good many commissions of a supervisory or semijudicial nature, that system works well. Inasmuch as the committee proposes to make a basic change in what has been the law under both Democratic and Republican administrations, I hope the Senator will explain that feature of the bill.

Mr. JOHNSTON of South Carolina. I shall be glad to do so a little later. I shall go into it more fully.

Mr. President, title 3 of the bill contains a number of miscellaneous provisions primarily related to the establishment and classification for pay purposes of isolated positions here and there in the Federal service.

Under present law, the general counsels of 7 of the 10 executive departments are appointed by the President by and with the advice and consent of the Senate. The bill provides that the other three general counsels be appointed in the same manner. The three departments are: Post Office Department, Agriculture Department, and Department of Health, Education, and Welfare.

Additionally, the bill provides that the general counsels in the Departments of the Army, Navy, and Air Force be made by the President by and with the advice and consent of the Senate.

The bill authorizes the allocation of the four existing positions in the administrative office of the United States courts to grade 18.

The bill authorizes the allocation of the seven existing positions of Director, Commodity Offices, Commodity Stabilization Service, Department of Agriculture, to grade 16.

The bill authorizes the allocation of three existing positions in the Agriculture Research Service, Department of Agriculture, to grade 18.

The bill authorizes the creation of a new position in the Department of Commerce to head up the new public roads program. The title of the position is that of Federal Highway Administrator.

Also in title 4 of the bill is a provision relating to the postal service.

Section 305 of the bill contains a provision recently approved in the Senate, which appeared in S. 1292. It provides

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that the difference between fourth-class mail income and estimated fourth-class mail cost can be as much as 10 percent before the Postmaster General is required to request changes in parcel-post rates before the Interstate Commerce Commission.

This provision provides the Postmaster General with a little leeway in the matter. It avoids the necessity of his going to the Interstate Commerce Commission every time there is an adjustment in pay or other legislative action which has an effect on expense in the Post Office Department.

Mr. President, title 4 of the bill embodies S. 2875, the retirement bill which was approved in the Senate on May 23, 1956.

Title 4 is the same as S. 2875 with a few minor modifications. I am confident the modifications will be found to be completely acceptable not only to the Members of the Senate, but also to the administration.

Furthermore, I am in a position to state that they will be acceptable to the rank and file of our loyal, hardworking, and devoted Federal employees, who have such a vital interest in the matter.

Briefly, the modifications made by this bill in S. 2875 are as follows:

First, S. 2875 would have permitted optional retirement at any age upon completion of 30 years or service.

This bill restores the provision of present law which requires that the employee must have attained the age of 55 before he can so retire.

Secondly, S. 2875 provided automatic survivorship benefits without penalty of one-half of the first \$2,400 of the retiring employee's earned annuity.

The bill, as amended, reinstates the provision of present law which requires that an employee elect survivorship benefits, and it reestablishes a penalty when such an election is made.

Under present law the penalty is 5 percent on the first \$1,500 of the employee's earned annuity, and 10 percent on any amount in excess thereof.

Under the bill, as amended, the penalty is 2½ percent of the first \$2,400 of the employee's earned annuity, and 10 percent on any amount in excess thereof.

Third—and closely related to the above provision—under present law when an employee elects survivorship benefits, he must do so on the full amount of his earned annuity.

The bill, as amended, permits an employee to designate the portion of his earned annuity he desires used for such a purpose. For example, if an employee should retire with an earned annuity of \$2,500, his situation might be such that in the event of his death \$900 would be adequate income for his surviving widow.

Accordingly, he would set aside the first \$1,800 of his annuity for survivorship purposes, and he would be penalized 2½ percent on only the \$1,800. He would take no penalty on the amount in excess thereof, and his widow would receive no benefit therefrom.

Mr. President, these constitute the principal changes in S. 2875 made by the bill. In total, they reduce the estimated

cost of S. 2875 by well over \$100 million a year. They go far toward meeting every objection to the bill voiced by the administration. Yet they in no way emasculate the worthy and desirable features of the bill.

Mr. President, title 5 provides for the establishment of additional scientific positions in the Department of Defense, the National Security Agency, the National Advisory Committee for Aeronautics, the Department of the Interior, and in the Department of Commerce. The establishment of these positions was approved by the House. The House enacted H. R. 11040 b for this purpose.

It was clearly established in the public hearings held in the House and in the Senate on this bill that these positions are necessary for the defense of this Nation, for progress in the field of medicine, science, and in the interest of our national welfare.

Mr. President, H. R. 7619 was unanimously approved by the Post Office and Civil Service Committee. This was done after consideration of its various component parts by several subcommittees. Public hearings were held on most of its provisions.

All of its provisions have been thoroughly considered over a long period of time. It is a needed bill, it is a good bill, and it should be enacted into law without material change.

Mr. President, if the Senator from California will listen, I wish to give the information requested.

The Post Office and Civil Service Committee of the House of Representatives, after a survey and study extending over a period of 4 years, recommended that the term of office of the Civil Service Commissioners be placed on a staggered basis, with a fixed term of 6 years. Reference is made to pages 4, 5, 52 and 53 of the attached House Report No. 1844, 84th Congress.

The Civil Service Commission is the only major permanent operating Commission or Board of the Federal Government in which the members do not have fixed terms of office. Attached is a tabulation of the Boards and Commissions showing the number of members and terms of office, the provision for designation of the Chairman and Deputy Chairman, and the legislative authority under which they were constituted.

Due to the very purpose and nature of the Civil Service Commission, its activities and policies must at all time be held above partisan political consideration and they must be exempt from pressure insofar as is possible. This pressure may be political; it may be from Members of Congress, from other Government officials, from employee groups, from business interests, or from various other sources. The organization of the Civil Service Commission as it is now constituted lends itself to pressure from all sources.

It will be noted from the attached table that the Commission is also the only major Commission or Board of the Federal Government where a life of succession to the chairmanship is to a civil service employee and not to another member. Under the present organiza-

tion of the Commission, the line of succession to the Chairman extends from the Chairman to the Executive Director and from him down to the lowest messenger. The other two Commissioners, appointees of the President and confirmed by the Senate, can succeed only to the chairmanship after the lowest and last employee of the Civil Service Commission is absent, probably gone to the ballgame.

The charge has been made that the provisions of title II would disturb the operations and activities of the Civil Service Commission. It has also been stated that its present organization is based on the recommendations of the Hoover Commission. This charge is unsupported.

The provisions of title II would in no way disturb either the organization of the Civil Service Commission as recommended by the Hoover Commission or its operations and other activities. On the contrary, they will greatly strengthen the management of the Commission and the effectiveness of its programs, with the benefits extending throughout the entire Government, by providing for continuity of top-level leadership of the Commission on a sound and permanent basis.

The provisions of title II do not disturb the present law which make the Commissioners subject to removal at the pleasure of the President.

The present Commissioners can also remain in office, at the will of the President, without reconfirmation by the Senate. The President will designate one Commissioner for each of the 2-, 4-, and 6-year starting terms of office.

The two Commissioners, other than the Chairman under present organization, have no recognition either in the management or operations of the Commission and very little in the establishment of policy and relationships to the Congress and other departments of Government. If this condition is to continue to exist, we might as well abolish the 3-member Commission and establish a 1-member system for the entire operations of the merit system of the Federal Government.

I ask unanimous consent to have printed at this point part of the report of House Civil Service Committee above referred to.

There being no objection, the report is as follows:

THE COMMISSION

Present organization of the Commission: Existing law provides for 3 Civil Service Commissioners, not more than 2 of whom may be of the same political party. The Chairman of the Commission and the other 2 members are appointed by the President, by and with the advice and consent of the Senate. Generally, upon change in administration an entirely new Commission is appointed.

In 1953 the Chairman of the Civil Service Commission was assigned the additional responsibility of the newly created position of Personnel Adviser to the President. The present incumbent of the chair has served in the dual capacity of Chairman of the Civil Service Commission and Personnel Adviser to the President for most of his term of office.

The division of responsibility of the Civil Service Commission between the Chairman

and the full Commission under Reorganization Plan No. 5 of 1949, in practice has not materially reduced the responsibility of the Chairman. A large measure of responsibility for management of the Civil Service Commission has been delegated to the Executive Director of the Commission, particularly since the beginning of the dual role of the Chairman. The two members of the Commission exercise little or no management control. As noted elsewhere in this report, in the absence of the Chairman the Executive Director is the operating head of the Commission.

Chairman of the Civil Service Commission and Personnel Adviser to the President: The present dual office of Personnel Adviser to the President and Chairman of the Civil Service Commission in some respects has operated as a deterrent to the effective discharge of the full responsibility of the Commission. In the judgment of the committee the disadvantages of the dual role far outweigh the advantages. Occupancy of these 2 high offices by 1 individual at the same time may subject him to pressures and special concerns of individual administrative officials. Time and effort urgently needed in the direction of the affairs of the Civil Service Commission undoubtedly tend to be diverted to extraneous matters which at best are only indirectly related to the mission of this important agency. The chairmanship of the Civil Service Commission is a full-time job which requires the undivided attention of the incumbent—just as the management of other agencies requires the attention of the titular heads thereof. See recommendation (2), page 53.

Commission meetings: The Civil Service Commissioners held 26 formal meetings during the calendar year 1955, and a number of other, informal, meetings to take up special problems, such as budget estimates, as they arose. There is no firm policy of holding meetings on a specific day each week, although it was stated that generally there was an effort to set aside each Wednesday for a meeting of the Commissioners.

The bulk of the work requiring Commission attention is handled individually by the Commissioners by referring staff files from one Commissioner to another for notation and decision. The formal minutes of the Commission are made up not only from the formal meetings but from decisions as indicated on these files that are referred to the individual Commissioners without any formal meeting. In practice, the schedule of meetings is worked out by the Executive Secretary to the Commission, who endeavors to arrange the meetings on Wednesdays. This has been the custom in the Commission for a good many years past. However, because of other appointments and obligations, it is frequently necessary to select another time for a Commission meeting.

In the judgment of the committee, at least one regular, formal weekly meeting of the Civil Service Commission would contribute materially to improvement in the management and operations of the Commission. See recommendation (2), page 53.

RECOMMENDATIONS

(d) Continue the present requirement that not more than two Civil Service Commissioners be of the same political party and that the Chairman and members of the Commission be appointed by the President with the advice and consent of the Senate.

Consideration also should be given to the inclusion in such legislation, among other matters, of provisions to—

(a) Achieve for the Civil Service Commission greater independence of action, continuity of top management, and freedom from outside influence or domination through the establishment of 6-year, over-

lapping terms of office for Civil Service Commissioners, such terms to be placed in effect on a staggered basis, beginning with the first day of a specific calendar year, by the appointment of (i) one Commissioner to a term expiring at the end of 2 years, (ii) one Commissioner to a term expiring at the end of 4 years, and (iii) one Commissioner to a term expiring at the end of 6 years—the term of any Commissioner appointed thereafter to expire at the end of a 6-year period, or multiple thereof, after the prescribed expiration date of one of the original terms;

(b) Require that at least one Civil Service Commissioner have served 5 or more years in the classified civil service;

(c) Establish a firm line of succession for the office of Chairman of the Civil Service Commission whereunder (i) in the absence of the Chairman the other majority Commissioner shall act as Chairman, (ii) in the absence of the Chairman and the other majority Commissioner the minority Commissioner shall act as Chairman, and (iii) in the absence of the Chairman and both other Commissioners the Executive Director shall act as Chairman;

(d) Spell out in affirmative language that the decisions and determinations of the Civil Service Commission authorized by law or order are final and conclusive on the executive agencies and enforceable by legal proceedings in any instance in which the Commissioners, by a majority vote, shall determine and certify that such action is necessary in the public interest; and

(e) Authorize the Civil Service Commission (i) to require an explanation of reasons for any failure to make an appointment from a certificate or list of eligibles furnished by the Commission at the request of an appointing authority and (ii) if, in the judgment of the Commission, the facts warrant to direct abolishment of any position (A) for which a certificate or list of eligibles has been furnished upon request and to which no appointment has been made from such certificate or list (or by promotion or transfer) within such time as the Commission may prescribe or (B) for which two or more certificates or lists of eligibles have been furnished upon request and to which no appointment has been made from any such certificate or list or by promotion or transfer.

(2) THE COMMISSION

(a) The office of Chairman of the Civil Service Commission is a full-time job and should comprise no special duties and responsibilities, as personnel adviser to the President or otherwise, which are above and beyond those normally found in the relationship of the head of an independent agency to the Chief Executive.

(b) The Civil Service Commission should establish a firm policy of holding formal meetings at least once each week to consider and determine matters of policy and problems requiring the attention of the Commissioners.

(c) Greater emphasis should be placed upon the staff and advisory capacity of the Commission in its dealings with other agencies.

Mr. CARLSON. Mr. President, will the Senator from South Carolina yield?

Mr. JOHNSTON of South Carolina. First, I have some perfecting amendments which I send to the desk.

Mr. DOUGLAS. Mr. President, before the Senator from South Carolina yields the floor, I should like to ask him a few questions.

Mr. CARLSON. Mr. President, will the Senator from South Carolina yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. CARLSON. Mr. President, I have here a copy of a letter written by the Chairman of the Civil Service Commission to Representative MURRAY, chairman of the Committee on Post Office and Civil Service of the House of Representatives. I ask unanimous consent that the letter may be made a part of the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

UNITED STATES CIVIL SERVICE COMMISSION,
Washington, D. C., July 3, 1956.

The Honorable TOM MURRAY,
Chairman, Committee on Post Office and Civil Service, House of Representatives, United States Congress.

DEAR MR. MURRAY: This is in reply to your letters of March 19 and March 22, 1956, requesting the Commission's views on H. R. 9998 and H. R. 10041, identical bills "To amend the first section of the Civil Service Act of January 16, 1883, as amended, so as to provide for 6-year terms of office for members of the Civil Service Commission, and for other purposes."

These bills would provide for fixed overlapping terms of office for Civil Service Commissioners and establish a different line of succession for the office of chairman.

The Commission is opposed to the enactment of these bills.

The present organization is working very well. It is based on a recommendation made in 1949 by the Commission on Organization of the Executive Branch (the first Hoover Commission). In our opinion, our organization is effective and logical and has provided a satisfactory framework for the exercise of the Commission's responsibilities.

In reviewing the entire matter, we have come to the conclusion that the method of appointment of Commissioners should not be changed. Commissioners should continue to serve at the pleasure of the President without having fixed terms of office established by law. In addition, we believe that the separation of operations from policy and appellate functions should be continued. This logically calls for the Executive Director's acting in the absence of the Chairman of the Commission for purposes of continuity of operations. Since the time of the other two Commissioners is spent on policy and appellate functions, they cannot be expected to be familiar with day-to-day operations.

Reorganization Plan No. 5 has worked too well to date to discard it without further trial. In the course of this further trial, responsible executive branch officials will give continuous thought to any needed changes in the Commission's structure and functions.

The Bureau of the Budget has advised us that there is no objection to the submission of this report to your committee, and that enactment of this legislation would not be in accord with the President's program.

By direction of the Commission.

Sincerely yours,

PHILIP YOUNG,
Chairman.

Mr. JOHNSTON of South Carolina. Does the Senator from Georgia wish to ask me a question?

Mr. RUSSELL. Mr. President, I desire to obtain the floor in order to present amendments to the bill. If the Senator from Illinois [Mr. DOUGLAS] wishes to interrogate the Senator in reference to something which has already been covered, I shall be glad to wait.

The PRESIDING OFFICER. The amendments offered by the Senator from South Carolina [Mr. JOHNSTON] will be stated.

1956

CONGRESSIONAL RECORD — SENATE

12:59

The LEGISLATIVE CLERK. In the amendment of the committee, on page 24, line 5, it is proposed to strike out:

(32) Deputy Director, Central Intelligence Agency.

On pages 24 and 25, renumbered paragraphs (33) to (54) as (32) to (53), respectively.

On page 25, line 5, after "executive" insert "or military."

On page 27, lines 13 and 14, strike out:

(17) Commissioner, United States Court of Claims (12).

On page 27, renumber paragraphs (18) to (23) as (17) to (22), respectively.

On page 32, line 4, strike out "\$12,000" and insert "\$12,500."

On page 71, line 22, insert before the period a colon and add "Provided further, That this subsection shall not apply to a Member appointed by the President of the United States to a position not requiring confirmation by the Senate."

On page 44, before the semicolon in line 7, insert the following: "or to construction employees or any other temporary, part time, or intermittent employees of the Tennessee Valley Authority."

The PRESIDING OFFICER. If there is no objection, the amendments offered by the Senator from South Carolina will be considered en bloc.

Mr. CARLSON. Mr. President, will the Senator from South Carolina yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. CARLSON. I understand these are the amendments that have been discussed; is that a fact?

Mr. JOHNSTON of South Carolina. We did discuss them.

Mr. MONRONEY. Mr. President, will the Senator from South Carolina yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. MONRONEY. These amendments do not include the civil-service retirement portion of the bill, do they?

Mr. JOHNSTON of South Carolina. No. These are merely technical amendments.

Mr. DOUGLAS. Mr. President, will the Senator from South Carolina yield for a question?

Mr. JOHNSTON of South Carolina. I yield.

Mr. DOUGLAS. Am I correct in my understanding that under this bill the members of the Cabinet are to receive salaries of \$25,000 a year?

Mr. JOHNSTON of South Carolina. That is correct. The House provided for that in its bill, and we have it in our bill. The salary is now \$22,500.

Mr. DOUGLAS. The Under Secretary of State and the Deputy Secretary of Defense are to receive salaries of \$22,500, is that correct?

Mr. JOHNSTON of South Carolina. That is correct.

Mr. DOUGLAS. And the Secretaries of the Army, Navy, and Air Force are to receive salaries of \$22,000?

Mr. JOHNSTON of South Carolina. That is correct.

Mr. DOUGLAS. There are several Under Secretaries referred to on page 20

of the bill, such as the Under Secretary of the Interior, the Under Secretary of Agriculture, the Under Secretary of Commerce for Transportation, the Under Secretary of Commerce, the Under Secretary of Labor, the Under Secretary of Health, Education, and Welfare, who are to receive salaries of \$21,000.

Mr. JOHNSTON of South Carolina. That is correct.

Mr. DOUGLAS. And are there not a number of Deputy Under Secretaries included in the bill? Does not every Under Secretary have one or more deputies?

Mr. JOHNSTON of South Carolina. Perhaps.

Mr. DOUGLAS. Will they not receive increases?

Mr. JOHNSTON of South Carolina. Perhaps.

Mr. DOUGLAS. Are two new grades put in, 17 and 18?

Mr. JOHNSTON of South Carolina. No.

Mr. DOUGLAS. Are the numbers in grades 17 and 18 increased?

Mr. JOHNSTON of South Carolina. In some instances.

Mr. DOUGLAS. So, the deputies will probably be placed in grade 17 or grade 18. There are deputy secretaries and undersecretaries in virtually every department of Government. Then there are deputies to the deputies, or deputies to the undersecretaries. They will probably be in grades 17 and 18, will they not?

Mr. JOHNSTON of South Carolina. They will remain in whatever grade classification they may be in at the present time.

We have made some few increases in the bill with reference to grades 17 and 18.

Mr. DOUGLAS. The bill probably would upgrade grade 18 persons. In other words, the deputies to the deputies and the deputies to the under secretaries are not forgotten?

Mr. JOHNSTON of South Carolina. No.

Mr. DOUGLAS. That is very reassuring to these functionaries. I notice that on page 23 a number of assistant secretaries are also given increases.

Mr. JOHNSTON of South Carolina. To make that clear, everyone in grade 18 is increased from \$14,800 to \$16,000, under the bill.

Mr. DOUGLAS. That will be good for them, if not for the taxpayers.

On page 23, under "assistant secretaries," I find 5 Assistant Postmasters General, 3 Assistant Secretaries of Agriculture, 3 Assistant Secretaries of Commerce, 9 Assistant Secretaries of Defense, 2 Assistant Secretaries of Health, Education, and Welfare, 3 Assistant Secretaries of the Interior, 3 Assistant Secretaries of Labor, 10 Assistant Secretaries of State, 3 Assistant Secretaries of the Treasury, 4 Assistant Secretaries of the Air Force, 4 Assistant Secretaries of the Army, 4 Assistant Secretaries of the Navy.

If my arithmetic is correct, that is a total of 53 assistant secretaries whose pay is to be increased to \$20,000.

Mr. JOHNSTON of South Carolina. That is correct.

Mr. DOUGLAS. If every one of the 53 assistant secretaries has a deputy as-

sistant secretary, what will happen to the 53 deputy assistant secretaries?

Mr. JOHNSTON of South Carolina. Their salaries will not be changed unless they are already in grade 14. If they are already in grade 18, their pay will be increased from \$14,800 to \$16,000.

Mr. DOUGLAS. Is it not probable that almost all the deputies to assistant secretaries are in grade 18 now?

Mr. JOHNSTON of South Carolina. There are only 176 in the entire Government.

Mr. DOUGLAS. Could we have a breakdown of the number of deputies to the assistant secretaries and the deputies to the under secretaries?

Mr. JOHNSTON of South Carolina. For the information of the Senator from Illinois, in grades 17 and 18 there are only 178 officials in the entire Government.

Mr. DOUGLAS. Does the Senator mean that there are not more than 178 deputies to under secretaries or deputies to assistant secretaries? That is reassuring. I thought the number probably ran into many hundreds.

Can the Senator from South Carolina inform us how many more under secretaries, deputy secretaries, assistant secretaries, deputy under secretaries, and deputy assistant secretaries there are now than there were 3½ years ago?

Mr. JOHNSTON of South Carolina. The committee did not go into that in this classification.

Mr. DOUGLAS. I think that would be an extremely important answer to have.

Mr. JOHNSTON of South Carolina. Their salaries will not be touched at all.

Mr. DOUGLAS. But large increases are being handed down?

Mr. JOHNSTON of South Carolina. Not in the bill. There are 662 only.

Mr. DOUGLAS. The salaries of the deputy secretaries go up; the salaries of the under secretaries go up; the salaries of the assistant secretaries go up; the salaries of deputy under secretaries who are in grade 18 go up; and the salaries of deputies to assistant secretaries who are in grade 18 go up.

My question is how many more deputy secretaries, under secretaries, assistant secretaries, deputies to under secretaries, deputies to deputy under secretaries, and deputies to assistant secretaries are there now than there were 3½ years ago? We have been proliferating officialdom, to use a large word, all around. One cannot go downtown without bumping into a deputy; and he does not wear a sheriff's badge, either.

Mr. JOHNSTON of South Carolina. I should imagine their number has increased; and my rough guess would be that their number has about doubled.

Mr. DOUGLAS. I believe the Department of Defense used to have nine civilians in the top positions. Now there are 32 secretaries, under secretaries, assistant secretaries, deputies to deputies, and deputies to assistant secretaries. Perhaps I have missed some of them.

Mr. JOHNSTON of South Carolina. I agree with the Senator from Illinois to a very large extent; but the committee did not go into that question in this bill.

Mr. DOUGLAS. But the positions have been created by this administra-

tion under their efficiency program to reduce the number of governmental employees. Does not the Senator think it would be a good subject for the Committee on Governmental Expenditures to look into? Would it not be well for that committee to ascertain the number of assistant secretaries, assistants to assistant secretaries, deputies to assistants, and deputies to deputies the Government now has on its rolls?

Mr. JOHNSTON of South Carolina. For the information of the Senator from Illinois, the committee has not made a study of that question up until this time, but we intend to make such a study.

Mr. DOUGLAS. I think it would be very helpful.

Mr. RUSSELL. Mr. President, I have an amendment in the nature of a substitute for Title V of the proposed legislation. Title V of the bill as reported by the committee has in essence the same provisions as H. R. 11040, which has passed the House. It provides for the creation of some 275 additional professional grades in the highest pay brackets. Most of them are within the Department of Defense.

I have made some study of this question, and, in my opinion, Congress would not be justified in creating that many positions in that high category at this time. I am therefore offering an amendment as a substitute for title V of the committee amendment.

The PRESIDING OFFICER (Mr. LAIRD in the chair). Does the Senator desire to have the amendment read in full?

Mr. RUSSELL. It is agreeable to me to have the amendment printed in the RECORD, rather than have it read.

The PRESIDING OFFICER. Without objection, the amendment will be printed in the RECORD.

Mr. RUSSELL's amendment to the committee amendment is as follows:

On page 81, beginning in line 19, strike out down to and including line 10 on page 85, and in lieu thereof insert the following:

"Sec. 501. (a) Subsections (a) and (b) of the first section of the act of August 1, 1947 (61 Stat. 715; Public Law 313, 80th Cong.), as amended, are amended to read as follows:

"(a) The Secretary of Defense is authorized to establish and fix the compensation for not more than 120 positions in the Department of Defense and not more than 25 positions in the National Security Agency, each such position being established to effectuate those research and development functions, relating to the national defense, military and naval medicine, and any and all other activities of the Department of Defense and the National Security Agency, as the case may be, which require the services of specially qualified scientific or professional personnel.

"(b) The Chairman of the National Advisory Committee for Aeronautics is authorized to establish and fix the compensation for, in the headquarters and research stations of the National Advisory Committee for Aeronautics, not to exceed 20 positions in the professional and scientific service, each such position being established in order to enable the National Advisory Committee for Aeronautics to secure and retain the services of specially qualified personnel necessary in the discharge of the duty of the Committee to supervise and direct the scientific study of the problems of flight with a view to their practical solution."

"(b) Nothing contained in the amendment made to such act of August 1, 1947, by subsection (a) of this section shall affect any position existing under authority of subsection (a) of the first section of such act of August 1, 1947, as in effect immediately prior to the effective date of such amendment, the compensation attached to any such position, and any incumbent thereof, his appointment thereto, and his right to receive the compensation attached thereto, until appropriate action is taken under authority of subsection (a) of such first section of such act of August 1, 1947, as contained in the amendment made by subsection (a) of this section.

"Sec. — Section 505 (b) of the Classification Act of 1949, as amended (69 Stat. 179; 5 U. S. C., sec. 1105), is amended to read as follows:

"(b) Subject to subsection (c), (d), and (e) of this section, a majority of the Civil Service Commissioners are authorized to establish and, from time to time, revise the maximum number of positions (not to exceed 1,215) which may be in grades 16, 17, and 18 of the General Schedule at any one time, except that under such authority such maximum number of positions shall not exceed 329 for grade 17 and 126 for grade 18. The United States Civil Service Commission shall report annually to the Congress the total number of positions established under this subsection for grades 16, 17, and 18 of the General Schedule and the total number of positions so established for each such grade."

Mr. RUSSELL. Mr. President, I shall describe very briefly what the proposed substitute will do. In the Department of Defense at the present time 45 of these professional positions are authorized. The committee proposal allows 180 additional positions. The amendment which I propose allows 75 additional positions.

The National Security Agency, Mr. President, which is one of the most important agencies of our Government, although it is not referred to very often, and I think this is the first time it has ever appeared in any bill which has come before the Congress—the Agency was created by Executive order—does not at the present time have any of these scientific and professional positions in the higher grades. The Agency had requested 50 positions. My suggested amendment proposes 25 additional positions.

The reason the amendment provides a higher percentage of such positions for that Agency than it does for some of the other agencies is the peculiar nature of the work which is done by the National Security Agency. The work is of such a nature that when a man leaves the Agency, the training he has received in the Government does not in any way help him obtain a position in private employment.

The National Advisory Committee for Aeronautics at the present time has 10 such positions, and it has requested 50 positions. That is provided in the committee amendment. The amendment which I propose doubles the number the Advisory Committee has at the present time, and allows it 10 additional professional positions. The Advisory Committee proposes to promote 10 persons presently employed by them, and, thereafter fill the 10 positions in the lower grades by employing new personnel.

The committee proposes to give to the Department of Commerce 35 additional scientific positions. I have discussed this matter with the Secretary of Commerce. Of course, he would like to get the 35 professional positions, but he has stated to me, within the hour, that his greatest need is in the so-called supergrades, GS-16, 17, and 18; that he needs the positions in those categories to assist him in the administration of the tremendous highway program which was recently adopted by the Congress. The amendment I have proposed allows 15 positions in the higher grades, or the supergrades, to the Department of Commerce.

The essential difference between the provisions of H. R. 11040, as found in title V, and the substitute I propose is that the number of high-grade positions is reduced from 275 to 145.

I may say, with respect to these scientific grades, it is very difficult to recruit personnel for those grades all at one time.

I do not think my amendment would injure any of these agencies in the slightest degree. The next Congress can examine into the needs of the agencies and ascertain whether it is necessary to create this large number of scientific and professional positions.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. SALTONSTALL. I should like to add a word to what the Senator from Georgia has said about the amendment. I know the departments would like to have more of the high-grade positions, but representatives of the Defense Department have discussed the matter with the Senator from Georgia and with me. While they would like to have more of the high-grade positions, I believe the amendment of the Senator from Georgia will be very helpful to the Department of Defense as well as the Department of Commerce. The Secretary of Commerce has also talked to me.

I hope the amendment of the Senator from Georgia will be accepted by the committee.

Mr. JOHNSTON of South Carolina. Mr. President, I should like to say that the House bill is before the Senate. Hearings were held on the House bill. A question was raised as to how many of the high-grade positions should be created. For that reason, I informed those concerned that I thought we ought to take the matter up with the Committee on Armed Services, and especially with the chairman of the committee.

Mr. RUSSELL. I appreciate that.

Mr. JOHNSTON of South Carolina. The Senator suggested that the proposals be put in the bill. Then when it reached the floor he would offer his amendment clarifying the matter, as he thought it ought to be.

So far as I am concerned, and I think the committee felt that way about it at the time, I shall be glad to accept the amendment.

Mr. CARLSON. Mr. President, reserving the right to object—and I shall not object—before the amendment is accepted I should like to make a statement.

It is understood that Senator RUSSELL would propose to amend title V of H. R. 7619 to reduce the numbers of scientific and professional positions proposed by the act. Title V would increase the number of scientific and professional positions now authorized for certain departments and agencies engaged in scientific research and development. While this title reads as though the heads of the departments and agencies concerned have a wide open authority to establish positions and rates of pay under it, this is not the case nor would it be appropriate. The situation with regard to the control of positions under this title is as follows:

While the positions authorized to be established under the title are for the use of the specific agencies named, before they can be established and appointments made to them the department or agency must have the approval of the Civil Service Commission of the rate of pay which it proposes for each position and of the qualifications of each individual which it proposes to appoint to such positions. In fact the control of pay fixing and appointment is tighter in the case of these positions than is the case when positions are established under the Classification Act. Title V does not authorize any increase in the number of so-called supergrade positions under the Classification Act. It deals solely with scientific and professional positions for which the Congress initially authorized limited numbers of such positions in Public Law 313 on August 1, 1947. Authorization of the additional positions provided in title V is essential to the scientific research and development work conducted by the Federal Government if our Government is to keep abreast and ahead of the demands made on it in this field.

The bulk of the positions covered by title V are in three critical areas:

The Department of Defense for the use of the Army and Navy, and Air Force in their scientific and professional research and development programs in a variety of fields ranging from guided missiles to the field of medicine.

The National Security Agency.

The National Advisory Committee for Aeronautics whose research in the aeronautical field is basic to the continued development of our aircraft industry. Its research and development work is made available not only to the Army, Navy, and Air Force, but also to the private industrial concerns in the aircraft field.

The authorization of these positions can in no way be termed a raid on the Treasury or a political maneuver to secure more high-paid jobs for political purposes. Each individual who has been approved for appointment under the present authorizations for such positions which would be increased by title V has been an outstanding scientist or professional man in his field of work. The departments and agencies who have the special authorities which are being increased under title V have in no instance abused the authority or used it improperly since they have first received authorization for appointments and pay fixing in 1947.

To reduce the number of scientific and professional positions, proposed to be authorized by title V would be failing to recognize our critical need for advanced work by the Federal Government in the fields of basic research and applied science.

I appreciate the work the Senator from Georgia has done. It is a real problem to determine the number of personnel that each agency should have in the super positions. There is a great demand for them. In many instances—in fact, I should say in most instances—their employment is justified. We have tried, as I know the Senator from Georgia has tried, to take care of the agencies at this time.

I did not hear the number the Senator from Georgia suggested for the Department of Defense.

Mr. RUSSELL. The number suggested for the Department of Defense is a total of 120. At the present time the Department has 45 super positions. The proposed amendment would allow them 75 additional positions in this category.

Mr. CARLSON. I should like to say to the Senator from Georgia that the senior Senator from Virginia (Mr. BYRD) visited with me and stated he was greatly concerned about the National Advisory Committee for Aeronautics, and he told me he had discussed with the Senator from Georgia the number of super positions needed in that agency. As I understand, that agency now has 10 such positions, and would receive 10 additional under the proposed amendment. Is that correct?

Mr. RUSSELL. The Senator is correct. I may say that the Senator from Virginia has discussed this matter with me on two occasions, and urged increases in the authorization for the National Advisory Committee for Aeronautics. But, in my opinion, if we double the number that agency now have, and they are permitted to fill the 10 old positions—because they will be recruiting 10 new men to fill the lower grades which have been vacated for the higher grades—that should suffice to allow the agency to pursue its activities.

Mr. CARLSON. The National Advisory Committee for Aeronautics had requested 60 such positions. As I understand, all the positions which were to be filled would be filled by moving up to those grades persons presently employed by the agency. The amendment will give the agency 20 of those super positions. Is that correct?

Mr. RUSSELL. The agency will have 20 of the highest professional grade positions recognized by existing law. As the Senator has stated, the agency proposes to fill the top positions by promotion; but, as the Senator well knows, when the agency does fill those positions by promotion, that does not automatically abolish the lower positions which are occupied by those who will be promoted. Additional personnel will fill the vacancies created by the promotion of personnel to the 10 additional scientific and professional grades.

Mr. CARLSON. In conclusion, I wish again to commend the Senator from Georgia for the work he has done on the

matter. I know he has worked earnestly and sincerely in trying in an effort to protect the interests of the Government. There is great demand by private industry for scientists and other personnel in various Government agencies. While we can never expect to meet private industry salaries, we can, in every way possible, by granting salary increases and fringe benefits, encourage employees to stay with the Government when we need them.

If it develops by next January that a sufficient number of positions have not been made available to take care of the interests of the Government, I am sure the Senator from Georgia, and I know the Senator from Kansas, will try to protect those interests.

Mr. RUSSELL. If it develops that this number of positions is not sufficient to meet the needs of the agencies, I shall favor action by Congress to increase the number so as to enable the departments to meet their needs.

Mr. DOUGLAS. Mr. President, will the Senator from Georgia yield?

Mr. RUSSELL. I yield.

Mr. DOUGLAS. First, I wish to congratulate the Senator from Georgia for his work in cutting out a large number of the high-salaried positions, which apparently are grossly excessive in number.

I have made a rough calculation, and I think his amendment to the committee amendment will save several million dollars. He deserves a great deal of credit for paring down the excessive estimates by the executive departments.

Mr. RUSSELL. I thank the Senator from Illinois.

Mr. DOUGLAS. I have been seeking for some time to obtain information on this question. There are approximately 13 Under Secretaries, 2 Secretaries, and then there are some Deputy Under Secretaries. There are 53 Assistant Secretaries, 21 of whom are in the Defense Department. I am seeking to ascertain how many deputies to Deputy Secretaries and Under Secretaries and how many deputies to Assistant Secretaries there are in the Government.

Mr. RUSSELL. Mr. President, the Senator from Illinois must seek his information at a source that is wise and has more information than does the Senator from Georgia. I doubt very much that in the Government service there is any living human being who could answer that question offhand.

Mr. DOUGLAS. Does the Senator from Georgia think there is any computing machine which could add up the total?

Mr. RUSSELL. Some remarkable electronic computing machines have been developed in the past few years.

Mr. DOUGLAS. Does the Senator from Georgia think it would be necessary to use an electronic computing machine in order to arrive at the answer to my question?

Mr. RUSSELL. Of course, figures in regard to some of the other executive departments have been available. I myself am more familiar with the Department of Defense than I am with some of the other departments and agencies.

Mr. CARLSON. Mr. President, in connection with that point will the Senator from Georgia yield to me?

Mr. RUSSELL. I yield.

Mr. CARLSON. The Senator from Illinois is an eminent statistician and economist; but I do not want him to state on the floor of the Senate that this amendment to the committee amendment will save hundreds of millions of dollars.

Mr. DOUGLAS. I said millions of dollars.

Mr. CARLSON. The fact is that the committee amendment provides for an increase from a maximum of \$15,000 to a maximum of \$19,000.

Mr. DOUGLAS. But when additional positions are created and when men already in the Government service are moved into the new positions, it is necessary for others to occupy the positions the men promoted have vacated.

Mr. CARLSON. At any rate, the Senator from Georgia has stated the number; and I point out that the difference is the difference between \$15,000 and \$19,000.

Mr. RUSSELL. Mr. President, I appreciate the statement of the Senator from Kansas. In some instances, I think the difference might be somewhat greater.

Mr. President, I make no claim that the saving this amendment to the committee amendment will effectuate will pay off the public debt or result in some other great accomplishment; the saving will be a rather modest one. However, I was brought up in a rather Spartan household, and it seems that I waste a great deal of time in the Senate in trying to save a few dollars here or a million dollars there. In view of the tremendous Government operations which now are going on, the saving which will result from this amendment to the committee amendment will be almost infinitesimal. However, when I see that I can save a few dollars for the national Treasury, my instinct tells me I should do what I can to do so.

Mr. DOUGLAS. Mr. President, will the Senator from Georgia yield further to me?

Mr. RUSSELL. I yield.

Mr. DOUGLAS. Perhaps the adding machine the Senator from Georgia has at his disposal will not permit him to state the total number of Deputy and Assistant Secretaries for the entire Government; but can he state the number for the Department of Defense?

Mr. RUSSELL. I cannot answer that question. I know that during World War II there was a total, I believe, of 8 Secretaries and Assistant Secretaries in the various defense agencies; and in January 1953, when the present administration came into power, there were 17 Secretaries and Assistant Secretaries in the Department of Defense; and as of today there are 30. A bill which has been passed by the House of Representatives, and on yesterday was in the Senate Armed Services Committee—where it was tabled—would have created three additional Secretaries.

Of course, I am sure it is only coincidental; but I was interested to observe that in testimony given before the Con-

gress some 2 years ago, the Secretary of Defense testified there were 33 vice presidents of General Motors Corp.; and if the committee had reported the bill to which I have just referred, and if the bill had been passed, there would have been 33 Secretaries and Assistant Secretaries of the Defense Department.

Mr. DOUGLAS. Does the Senator from Georgia remember what the late Fred Allen had to say about the numerous vice presidents of broadcasting companies? The remarks were very caustic, and well deserved. I think Mr. Allen would have equal fun with the number of these deputies, assistants, and so forth.

Mr. RUSSELL. I am afraid that I am not familiar with that particular historical incident.

Mr. President, I ask that the question be put on the adoption of my amendment, which proposes a substitute for title V of the committee amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Georgia [Mr. RUSSELL] to the committee amendment.

The amendment to the amendment was agreed to.

Mr. JOHNSTON of South Carolina. Mr. President, to the committee amendment, I submit the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER (Mr. GORE in the chair). The amendment to the committee amendment will be stated.

The CHIEF CLERK. In the committee amendment on page 28, between lines 19 and 20, it is proposed to insert the following:

SEC. 110. (a) The Surgeon General of the Public Health Service shall receive such compensation, in addition to his pay and allowances under the Career Compensation Act of 1949, as amended, as will make his compensation equal to \$20,000 per annum, in addition to such allowances.

(b) The Deputy Surgeon General of the Public Health Service shall receive such compensation, in addition to his pay and allowances under the Career Compensation Act of 1949, as amended, as will make his compensation equal to \$19,000 per annum, in addition to such allowances.

(c) The Director, National Institutes of Health, the Chief, Bureau of Medical Services, and the Chief, Bureau of State Services, of the Public Health Service, shall each receive such compensation, in addition to his pay and allowances under the Career Compensation Act of 1949, as amended, as will make his compensation equal to \$17,500 per annum, in addition to such allowances.

Renumber succeeding sections.

Mr. JOHNSTON of South Carolina. Mr. President, the purpose of the amendment is to adjust the rate of compensation of five top doctors who are responsible for administration of the United States Public Health Service.

The committee unanimously agreed to adjust the rate of compensation of the top position; that is, the position of the Surgeon General of the United States. After this action had been taken, certain technical problems which developed made it necessary to leave the position out of the bill as it was reported. These technical problems have now been resolved, and it has been determined that, in addition to adjusting the pay of the Surgeon General, as a matter of

equity the rate of pay of four additional positions should be adjusted. The matter has been discussed with members of the Committee, and meets with approval of the members of the committee.

When we were discussing the matter in the committee, at one time we thought that perhaps the ones in these positions might continue to receive the salaries attaching to their ranks in the military services—for instance, the salary of brigadier general, and so forth. For that reason, we thought that perhaps we should not interfere with the existing arrangements. However, we have found that that is not true. For that reason, we believe the salaries should be adjusted in the way proposed.

Mr. CARLSON. Mr. President, will the Senator from South Carolina yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. CARLSON. If I correctly understand the amendment, I think it will increase the salary of the Surgeon General of the United States and 3 or 4 other positions in the Department of Health, Education, and Welfare.

Mr. JOHNSTON of South Carolina. That is true.

Mr. CARLSON. I think the RECORD should show that in the case of the Surgeon General, who is a member of the military forces of the United States, and who draws a certain salary as a member of the United States Army, even though he will receive the increased salary proposed by the amendment, his salary will revert to his previous salary when he leaves his present position.

Mr. JOHNSTON of South Carolina. Yes.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from South Carolina [Mr. JOHNSTON] to the committee amendment.

The amendment to the amendment was agreed to.

Mr. RUSSELL. Mr. President, I desire to address a question to the Senator from South Carolina. On page 35 of the committee report, I notice it is stated that a change is made in the status of a number of legal officers of the Government, including that for the Department of Agriculture, that for the Department of the Army, that for the Department of the Navy, and that for the Department of the Air Force. Will the Senator tell us briefly why that change was made, and the effect of it?

Mr. JOHNSTON of South Carolina. In general terms, we made a study of the subject, the subcommittee and the staff working together, and we came to the conclusion that the salaries for the officials referred to should be increased in the amounts indicated. The committee was unanimous.

Mr. RUSSELL. Is there anything to prevent the creation of two higher positions when this provision is enacted? Can the grade at present occupied by the General Counsel of the Department of the Army be filled by another appointment?

Mr. JOHNSTON of South Carolina. No; it cannot.

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Mr. RUSSELL. The Senator is confident of that?

Mr. JOHNSTON of South Carolina. I am confident of that. That question was raised, and we were told that it could not be.

Mr. RUSSELL. The Senator is confident that that language applies only to the offices of these individuals, and does not increase the total number of positions in these departments?

Mr. JOHNSTON of South Carolina. That is entirely correct.

Mr. RUSSELL. Can the Senator tell us how many positions in the so-called super grades—16, 17, and 18—are created by this bill?

Mr. JOHNSTON of South Carolina. I should say not more than a dozen.

Mr. RUSSELL. I notice on page 36 that when we increase the grade of Deputy Administrators of the Agricultural Research Service to grade GS-18, we say that "Such positions shall be in addition to the number of positions authorized to be placed in such grade by section 305 (b) of such act." Does that mean that the grades now occupied by those positions, which are either 16 or 17, can be filled by new appointments?

Mr. JOHNSTON of South Carolina. No; they cannot.

Mr. RUSSELL. That relates only to the three new deputies?

Mr. JOHNSTON of South Carolina. There are no new grades.

Mr. RUSSELL. On page 80 I find an interesting statement, with which I have no violent disagreement, but I was rather curious as to its significance. I refer to section 406, in the retirement provisions of the bill, I believe. That section reads as follows:

Sec. 406. It is the policy of the Congress that whenever in the future any general adjustment is made in the salaries of Government employees, corresponding adjustments should be made in the annuities of retired employees.

Was that provision in the retirement bill as it passed the Senate?

Mr. JOHNSTON of South Carolina. It was in the retirement bill. That is a statement of policy.

Mr. RUSSELL. I feel somewhat bound by our action in supporting the retirement bill.

I thank the Senator from South Carolina for the consideration he has shown me.

Mr. CLEMENTS. Mr. President, on behalf of the senior Senator from New Hampshire [Mr. BRIDGES] and myself, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Kentucky will be stated.

The CHIEF CLERK. Beginning with line 19 on page 30, in the committee amendment, it is proposed to strike out down to and including line 4 on page 33.

On page 33, line 5, it is proposed to strike out "Sec. 121" and insert "Sec. 119."

Mr. CLEMENTS. Mr. President, it is the belief of the sponsors of this amendment that the matters covered in these two sections of the bill should be considered in the legislative bill, and for that reason we offer the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Kentucky for himself and the Senator from New Hampshire [Mr. BRIDGES] to the committee amendment.

The amendment to the amendment was agreed to.

Mr. CLEMENTS. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Kentucky will be stated.

The CHIEF CLERK. On page 52, lines 18 and 19, in the committee amendment, it is proposed to strike out "attains the age of 55 years and."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Kentucky to the committee amendment.

Mr. KNOWLAND. Mr. President, may we have an explanation of the amendment?

Mr. CLEMENTS. Mr. President, this is similar to the amendment adopted by the Senate in connection with a previous bill. This amendment would permit retirement after 30 years' service, but the retirement allowance would be adjusted downward, depending upon the age of the person so retired.

Mr. CARLSON. Mr. President, I have discussed this amendment with the senior Senator from Kentucky. While I opposed a similar amendment which was previously before the Senate, the Senate voted to include it in the bill. Therefore I think we should take it to conference.

Mr. JOHNSTON of South Carolina. Mr. President, I was on the floor when a similar amendment was agreed to on a previous occasion, and I favored the amendment. The only reason we did not keep it in the bill was that we thought perhaps it would be more likely to meet the approval of the House if it were not in the bill. We shall be glad to take the amendment to conference.

Mr. CLEMENTS. Let me say to my friend, the chairman of the Committee on Post Office and Civil Service, and to the ranking minority member [Mr. CARLSON], that I am delighted to have them take the amendment to conference. However, when they go to conference I hope they will give consideration to the fact that this question has been previously voted upon by the Senate, which expressed itself by a vote of 48 to 36 in favor of the amendment. I hope they will take that fact into consideration when they are discussing this subject in conference.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Kentucky [Mr. CLEMENTS] to the committee amendment.

The amendment to the amendment was agreed to.

Mr. DOUGLAS. Mr. President, may I inquire whether the Senator from South Carolina will yield to me for some further questions.

Mr. JOHNSTON of South Carolina. I yield to the Senator from Illinois.

Mr. DOUGLAS. Do I correctly understand that on the White House staff there

are now 12 administrative assistants to the President?

Mr. JOHNSTON of South Carolina. The Senator is correct.

Mr. DOUGLAS. Does the Senator from South Carolina remember that when the executive staff of the President was first established under the administration of Franklin D. Roosevelt, 7 assistants were provided for, at a salary of only \$10,000.

Mr. JOHNSTON of South Carolina. I believe that is correct.

Mr. DOUGLAS. Does the Senator from South Carolina remember the heated objections from the other side of the aisle at that time to the creation of that number of positions of administrative assistant in the office of the President?

Mr. JOHNSTON of South Carolina. There was some discussion.

Mr. DOUGLAS. There was quite bitter discussion, was there not?

Mr. JOHNSTON of South Carolina. That is true.

Mr. DOUGLAS. Now there are 12, and the administration wants 13 more, or a total of 15.

Mr. JOHNSTON of South Carolina. That is true.

Mr. DOUGLAS. So there will be twice as many assistants as President Roosevelt had, at greatly increased salaries; is that not true?

Mr. JOHNSTON of South Carolina. I agree with the Senator from Illinois.

Mr. DOUGLAS. I am also intrigued by the fact that two of the new positions which are to be created are two "Deputy Assistants to the Deputy Assistant" to the President.

Mr. JOHNSTON of South Carolina. That is true. The same thought was running through my mind.

Mr. DOUGLAS. In other words, we have not only Deputy Under Secretaries and Deputies to Deputies to Assistant Secretaries, but we have Deputy Assistants to the Deputy Assistants to the Assistant Secretaries. Would the Senator say that this was a government by deputation?

Mr. JOHNSTON of South Carolina. We do not wish to criticize anyone or not being on the job all the time. One must have assistants when he is absent.

Mr. DOUGLAS. May I ask if it is not the function of the Deputy Assistants to the President, the Assistants to the President, and the Deputy Assistants to the Deputy Assistant to ride herd on the various Government departments, and therefore ride herd on the Deputy Secretaries and Assistant Secretaries, the Deputies to the Deputy Secretaries, the Deputies to the Under Secretaries, and the Deputies to the Assistant Secretaries? Is not that their function?

Mr. JOHNSTON of South Carolina. The Senator is correct.

Mr. DOUGLAS. To see that there is proper coordination between the Assistants and the Deputies to the Assistants.

Mr. JOHNSTON of South Carolina. That is true.

Mr. DOUGLAS. Does the Senator remember the debate in connection with the WPA, when the WPA proposal was nearly wrecked when someone discovered

that there were supervisors of supervisors?

Mr. JOHNSTON of South Carolina. I remember that discussion.

Mr. DOUGLAS. It nearly killed the WPA.

Mr. JOHNSTON of South Carolina. That is correct.

Mr. DOUGLAS. But here we have Deputy Assistantants and Assistants riding herd on Secretaries, Under Secretaries, Deputy Secretaries, Assistant Secretaries, Deputies to Under Secretaries, and Deputies to Assistant Secretaries.

Is not that true?

Mr. JOHNSTON of South Carolina. Yes.

Mr. DOUGLAS. Apparently their work has become so onerous that it is now necessary to create deputy assistantants to deputy assistants. Would the Senator from South Carolina inform the Senate whether there are deputy assistantants to the deputy assistants to the deputy assistants in the Office of the President? In other words, do the deputy assistants to the deputy assistants have deputies who in turn act for them?

Mr. JOHNSTON of South Carolina. I have not investigated that situation. That might be so.

Mr. DOUGLAS. It might be an interesting subject for investigation. Does not the Senator from South Carolina believe that this business has gone to far?

Mr. JOHNSTON of South Carolina. There is no doubt about that.

Mr. CASE of New Jersey. Mr. President, I call up my amendment.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. In the committee amendment on page 28, after line 19, it is proposed to insert a new section, as follows:

Sec. 112. (a) Except as provided in subsection (b) of this section, the compensation of the Commissioners of the District of Columbia shall be at the rate of \$17,500 each per annum.

(b) The Engineer Commissioner, appointed from the Corps of Engineers, shall receive an annual compensation which, when added to any compensation he receives as an officer of the United States Army, will equal the compensation authorized for a Commissioner by subsection (a) of this section.

Mr. CASE of New Jersey. The pending amendment is a very simple one. Its purpose and effect is to raise the compensation of the District of Columbia Commissioners from their present salary of \$14,620 to \$17,500. There are 3 Commissioners—2 civilian Commissioners and 1 engineer Commissioner. In the case of the latter he would be paid the difference between his Army compensation and \$17,500.

The amendment has been approved unanimously by the members of the Committee on the District of Columbia, and I understand that the leadership on both sides and the chairman of the Committee on Post Office and Civil Service have no objection to it.

Mr. JOHNSTON of South Carolina. The salaries of the Commissioners were not included in the pending bill. However, I believe that the District of Co-

lumbia Commissioners should receive this increase to \$17,500.

Mr. CASE of New Jersey. I believe the increase could very equitably be much higher, but I am satisfied that at the present time this is the best we can do. Therefore I urge the adoption of the amendment.

The PRESIDING OFFICER (Mr. GORE in the chair.) The question is on agreeing to the amendment offered by the Senator from New Jersey [Mr. CASE] to the committee amendment.

The amendment to the amendment was agreed to.

Mr. JOHNSON of Texas. Mr. President, the chairman of the Committee on Public Works asked me to have a bill referred. I did not understand that his request included the striking of certain provisions from the pending bill. After consultation with the Senator from South Dakota [Mr. CASE] and the Senator from Tennessee [Mr. GORE], I believe I should offer an amendment to strike from the pending bill the subject matter in the bill which was rereferred; otherwise there would be no use of rereferring the bill, because the subject matter would have been taken care of in the pending bill.

Therefore, Mr. President, I offer an amendment to strike line 13 of page 24, which reads "(38) Federal Highway Administrator;" and to strike section 304 of the bill, beginning at line 23 on page 36, down to and including line 16 on page 37.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Texas [Mr. JOHNSON] to the committee amendment.

The amendment to the amendment was agreed to.

Mr. JOHNSON of Texas. I should now like to ask a question of the distinguished chairman of the committee. As I understand, the amendment which has been adopted by the Senate will completely take care of the situation complained of by the Committee on Public Works. Is that correct?

Mr. JOHNSTON of South Carolina. So far as I know, it will take care of it.

Mr. JOHNSON of Texas. I am doing this without any prejudice to what the committee may do about it. It is a subject which that committee wishes to consider. At the same time I desire to make it abundantly clear that I have no personal feeling in the matter. I am acting on behalf of the chairman of the Committee on Public Works. I appreciate the attitude of my friend, the Senator from South Carolina.

Mr. JOHNSTON of South Carolina. Mr. President, I ask unanimous consent that the sections of the bill be renumbered.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill is open to further amendment.

Mr. DIRKSEN. Mr. President, I offer an amendment which I ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. In the committee amendment on page 19, it is proposed to

strike out line 24, and to insert after line 12 the following: "The Administrator of Veterans' Affairs."

Mr. DIRKSEN. The purport of the amendment is to provide for the transposition of the Administrator of Veterans' Affairs from one section to another, to put him in a slightly higher class. Very properly he belongs along with the Secretary of the Navy, the Secretary of the Army, and the Secretary of the Air Force. Such a provision was carried in the Senate version of the bill in 1955. However, in the pending bill he is dropped into another category.

Mr. President, the amendment I have offered would transfer the Veterans' Administrator to a higher pay bracket. I think the bill has been well constructed. It is on the basis of responsibility, so, certainly, the Administrator of Veterans' Affairs should be included in the next higher bracket.

He is in charge of the veterans' hospitals with a caseload of more than 113,000 bed patients. At last report there were 181,287 civilian employees on the rolls of the Veterans' Administration. When it comes to money that agency is the fourth largest, because the appropriation for it is in excess of \$4 billion. The veterans and dependents on the rolls today number more than 3½ million. Veterans' Administrator is looking after 25,000 vocational cases. The Administrator is administering a program which includes 784,000 GI's for benefits under the GI bill. He is also administering a loan program involving 4,480,000 loans with an aggregate total of \$33 billion. In addition to all this, there are in force at least 5,600,000 national life insurance policies and some 400,000 World War II insurance policies. It is a tremendous operation, and I believe, on the basis of size and responsibility, the Administrator should be moved into the next highest bracket and should be given that additional prestige and recognition.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator from Illinois yield?

Mr. DIRKSEN. I yield.

Mr. JOHNSTON of South Carolina. The subcommittee gave a great deal of study to this question. They felt that the Administrator should not be placed on a higher list, but should be held to the \$21,000 salary. I think all the members of the committee were unanimous in that belief. It gets the bill out of gear, so to speak, if we place the Administrator in a higher bracket and leave the Commissioner of Internal Revenue, and other officials of that class, where they are. So, we classed them all together, which we thought was correct.

I hope the Senate will see fit to reject the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Illinois [Mr. DIRKSEN] to the committee amendment.

The amendment to the amendment was rejected.

Mr. BRIDGES. Mr. President, I send to the desk an amendment and ask that it be stated.

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The PRESIDING OFFICER. The amendment offered by the Senator from New Hampshire to the committee amendment will be stated.

The CHIEF CLERK. In the committee amendment it is proposed, on page 26, after line 11, to insert the following new section (3) under section 106 (b): "Assistant to the Director of the Federal Bureau of Investigation."

Mr. BRIDGES. Mr. President, we have a Director of the Federal Bureau of Investigation and an Associate Director. Then we have Assistant to the Director. My amendment applies to the Assistant to the Director, whose work is done very competently. The person occupying this post is an outstanding individual with whom I think Members of Congress have come in contact with and of whom they have a very high opinion. I certainly think he is one of the most capable officials in Government.

I think that, by and large, the committee has done an excellent job, and I wish to commend the distinguished chairman of the committee and the members of the committee for their excellent work, and I certainly would not offer this amendment if this were not an unusual situation. I think this is an unusual situation, because of the responsibility of the job, because of the high type of man who holds the job, and because of the respect in which he is held by committees of the Congress of the United States come in contact with him.

I hope my amendment will be accepted.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New Hampshire [Mr. BRIDGES] to the committee amendment.

Mr. JOHNSTON of South Carolina. Mr. President, this is another amendment which might get the bill out of gear. The position is not even in the executive pay bill; it comes under the Classification Act. He would be in grade 18. He is receiving a promotion from \$14,800 to \$16,000. There are many persons who hold positions of the same type in the Government. If we place this man in a higher position the others should be placed in higher positions. So, much as I like this man and the work he is doing, I do not think, personally, I could agree to the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New Hampshire [Mr. BRIDGES] to the committee amendment.

The amendment to the amendment was rejected.

Mr. BRIDGES. Mr. President, I submit another amendment which I ask to have read.

The PRESIDING OFFICER. The amendment offered by the Senator from New Hampshire to the committee amendment will be stated.

The CHIEF CLERK. In the committee amendment on page 28, line 17, it is proposed to strike out "seven" and insert in lieu thereof "eight."

On page 28, line 18, it is proposed to strike out "three" and insert in lieu thereof "two."

Mr. BRIDGES. In effect, the amendment would create one more assistant on the White House staff at a higher rate, in lieu of one at a lower rate.

The purpose of the amendment is to place the salary of the Secretary to the Cabinet at a higher rate level than he now has. The Cabinet is composed of the closest associates of the President in the executive branch of the Government, and the Secretary to the Cabinet carries on his shoulders great responsibilities. He is the chief liaison officer between the President and the Cabinet. His position is as important a position as there is on the general White House level. This official is responsible for the preparation of the Cabinet agenda and to determine those items to be recommended to the President for Cabinet discussion.

I think the position is filled competently today by a man of outstanding ability. I hope the amendment will be agreed to.

Mr. JOHNSTON of South Carolina. Mr. President, I am sorry that I cannot agree to accept the amendment. The committee has already advanced the rate of pay of three positions at \$17,500 in the President's office. I feel that that is sufficient at this time. Under the circumstances, I ask the Senate to reject the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New Hampshire [Mr. BRIDGES] to the committee amendment.

The amendment to the amendment was rejected.

Mr. JOHNSON of Texas. Mr. President, if no other Senator desires to offer an amendment to the bill, I shall suggest the absence of a quorum, because the Senator from Oregon [Mr. MORSE] wishes to offer one final amendment before the bill shall be passed.

Mr. MONRONEY. Mr. President, before the Senator from Texas suggests the absence of a quorum, I should like to propound a question to the chairman of the committee.

The retirement features which are included in the committee amendment include the same rate of contribution for the retirement of Members of Congress as did the retirement bill which passed earlier with the Williams amendment, do they not?

Mr. JOHNSTON of South Carolina. They are the same.

Mr. MONRONEY. I wanted to be certain that there had been no inadvertent change.

Mr. JOHNSTON of South Carolina. They remain the same.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I suggested the absence of a quorum so that my friend, the Senator from Oregon, could come to the floor to offer an amendment he desired to offer before the Senate took final action on the bill. As soon as action has been taken on the amendment and then on the bill, it will be my purpose to move that the Senate proceed to the consideration of the mutual security appropriation bill, on which there will be a limitation of the time for debate.

The Senate will remain in session late this evening in the hope that some action can be had on at least several amendments to the bill.

Mr. MORSE. Mr. President, I offer an amendment which I ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Oregon to the committee amendment will be stated.

The CHIEF CLERK. In the committee amendment on page 33, it is proposed to strike out lines 5 and 6 and insert in lieu thereof the following:

Sec. 121. (a) Except as provided in this section, this title shall take effect as of the first day of the first pay period which began after December 31, 1955.

(b) Retroactive compensation or salary shall be paid by reason of his act only in the case of an individual in the service of the United States (including service in the Armed Forces of the United States or the municipal government of the District of Columbia on the date of enactment of this act, except that such retroactive compensation or salary shall be paid (1) to an officer or employee who retired during the period beginning on the first day of the first pay period which began after December 31, 1955 and ending on the date of enactment of this act for services rendered during such period and (2) in accordance with the provisions of the act of August 3, 1950 (Public Law 636, 81st Cong.), as amended, for services rendered during the period beginning on the first day of the first pay period which began after January 31, 1955, and ending on the date of enactment of this act by an officer or employee who dies during such period. For the purposes of this subsection, service in the Armed Forces of the United States, in the case of an individual relieved from training and service in the Armed Forces of the United States or discharged from hospitalization following such training and service, shall include the period provided by law for the mandatory restoration of such individual to a position in or under the Federal Government or the municipal government of the District of Columbia.

(c) For the purpose of determining the amount of insurance for which an individual is eligible under the Federal Employees' Group Life Insurance Act of 1954, all changes in rates of compensation or salary which result from the enactment of this title shall be held and considered to be effective as of the first day of the first pay period which begins on or after the date of such enactment.

Mr. MORSE. Mr. President, in essence, the amendment provides for retroactive pay for 6 months. I invite the attention of the Senator from South Carolina, the able chairman of the committee, while I ask him a question or two.

The amendment has been very carefully prepared by the legislative counsel. It is an amendment, which has been considered from the standpoint of all the technical problems which I happen to know were discussed in committee in regard to retroactivity. It is an amendment which I think is just and equitable.

I should like to ask the chairman of the committee a question or two about the history of the bill. Am I correct in my understanding that the subject matter of the bill is the same as the subject matter of the bill which was sought to be passed on the floor of the Senate in the closing hours of the last session of Congress?

Mr. JOHNSTON of South Carolina. It is.

Mr. MORSE. Is it not true that at that time there were many Senators who wanted the bill passed? It had been passed a matter of an hour or two previously by the House of Representatives on the closing night of the session, and strong representations had been made to the Senate by the House leadership for passage of the bill by the Senate that night. Is not that correct?

Mr. JOHNSTON of South Carolina. That is true. The committee, if the Senator from Oregon will recall, quickly held a session and reported the House bill, with a few minor amendments, but the Senate committee did not have time to hold any hearings or to make a formal report.

Mr. MORSE. The Senator will recall there were a considerable number of objections expressed on the floor of the Senate—and the CONGRESSIONAL RECORD will show them—by colleagues of mine, because of the fact that the Senator from South Carolina, as committee chairman, when asked a question about it, very frankly told us that his committee had not had time to conduct hearings on the bill.

Mr. JOHNSTON of South Carolina. That is true.

Mr. MORSE. The Senator will recall that I held the floor that night in opposition to the bill, because I felt, as did a considerable number of my colleagues, who expressed themselves in the RECORD at that time, that the bill should be subjected to hearings, because of its complexities which were perfectly clear to us as we came to examine the bill on the floor of the Senate. At that time I said I felt we ought to be perfectly fair to the employees, and when the bill was brought up in the next session of Congress and hearings were held—and we hoped it would be disposed of very early in the next session of Congress—I would urge that the increased pay should be made retroactive. Does the Senator recall that?

Mr. JOHNSTON of South Carolina. I recall the Senator's making a statement similar to that.

Mr. MORSE. Mr. President, I make this statement about the history of the bill because I believe the employees are entitled to the equity I am pleading for this afternoon, for if in the closing hours of the session there had not been objection to the bill providing increased pay for employees would have been

passed. But the bill came to the floor of the Senate without any committee hearings having been held on it, I think within the last 4 or 5 hours of the closing day of the last session of the Congress and objection was raised. The Senator agrees with me on that; does he not?

Mr. JOHNSTON of South Carolina. I agree with the Senator in his statement.

Mr. MORSE. I assume that, although there have been some changes made in the bill which was submitted on the last day of the last session, the general framework of the bill remains pretty much the same. Is that correct?

Mr. JOHNSTON of South Carolina. I would say in most instances it is the same.

Mr. MORSE. One of the last efforts of the last evening of the last session was to get the executive pay bill passed, but some of us felt that, in accordance with proper parliamentary procedure in the Senate of the United States, a bill of such magnitude ought to be subjected to hearings. How right we were, because when Congress reconvened, at its next session, the bill came before the committee headed by the able Senator from South Carolina; here we are in the closing days of the present session, and we find the bill before us, but now having had extensive and prolonged hearings. We were quite right that night when we said the executive pay bill should not be passed without hearings, as the very record made by the committee demonstrates. The group who objected to the pay bill that night thought it would be exceedingly unwise to pass it under the conditions prevailing at the time its consideration was proposed.

I think we were right in another matter, Mr. President, when, in our plea for time to have hearings at the beginning of the next session of Congress, we made the statement that we thought, in fairness to the employees, we ought to support the principle of retroactivity when the bill was ultimately considered. One of the arguments made on the floor of the Senate, as the RECORD will show, was that if we stopped the bill that night we would do an injustice to employees of the Executive Departments who would otherwise have obtained an increase in salary unless the pay increases were made retroactive. That statement is true today. So we should make certain that injustice is not done by providing retroactivity.

I have gone into this matter with counsel, and I am advised the amendment I have submitted is a sound amendment from the standpoint of the legal problems involved. I submit it is a sound amendment so far as the equities are concerned; and I think, in justice to the employees, in view of the record we as the Senate ourselves have made on this matter, we owe it to them.

I was always of the opinion that in the last session of Congress it was unfortunate that the administration did not attempt to obtain action on the bill early enough in the session so our committee could have held hearings. Our able chairman, as I recall it very dis-

tinctly—and I am willing to let the record speak for itself—said, on that last night of the session, that the bill had not been brought before the committee in time to have hearings on it. I recall saying that, of course the responsibility for that was the administration's. But now the responsibility is ours to do justice for these employees.

Mr. President, I am asking for six months of retroactivity. I think it is only fair and proper. I am submitting my amendment on two grounds.

First, the bill should have been in shape, based on hearings, so that it could have been passed at the session of Congress. I think the employees concerned have been done an injustice because of delay by the Senate, the delay having been caused in the first instance, in my opinion, by the failure of the administration to get the bill to Congress in time for it to have due consideration. But that is over the dam. Now we have a problem in connection with a bill on which there have been adequate hearings. It is a good bill in most particulars, as I understand, although I have not had the time to make as careful a study of it as I should like. But the committee seems to be pretty much in agreement that it is a fair bill.

Therefore, in the second place, we ought to take care of the retroactive equities, which I think these employees deserve. The retroactivity does not go back far—only 6 months. It goes back to December 31, 1955.

I submit the amendment on the basis of its obvious justice and fairness to these employees.

Mr. MONRONEY. Mr. President, I am forced to oppose the amendment of the distinguished senior Senator from Oregon, principally on the ground that the best way I know to kill the bill before the Senate in the closing hours of the session and the increases the bill provides for the Cabinet members, under secretaries, secretaries, and other high executives of this great Nation of ours, would be to burden the bill with retroactivity.

I know we legislate for groups and not for persons, but I do not believe that the chances for the House's approval and the signature of the President would be enhanced by providing a \$12,500 bonus for persons in high salary brackets who are not severely in need.

It was the fault of the administration, I assure my distinguished colleague, that last year the bill came before the Congress in the closing days of the session. The committee had been asking for a bill to be submitted. Again, the Congress could have considered the bill in January, had the administration been ready to send a bill for the appropriate committee to consider.

Frankly, I do not like retroactivity. Once we start making salary increases retroactive, where are we to draw the cutoff line? Consider persons who receive the meager sum of \$60 a month in social security benefits. Bills affecting such persons sometimes are pending for 2 or 3 years. Yet the only practical way to enact such legislation is to base the beginning of the benefits on the passage of the bill.

Only once have we deviated from that course and provided retroactivity. I supported such action because twice we saw the President, at the insistence of the Postmaster General, veto the overwhelming action of both Houses in giving the poorly paid postal workers increased pay. If the President vetoed the action of both Houses, not once, but twice, in the case of a bill which provided increases for men making between \$2,500 and \$3,000 a year—persons who were in desperate need of an increase to pay grocery bills and rent—what would happen to the pending bill?

In this case we are dealing with retroactivity for distinguished executives of our Government, including such persons as Charles Wilson, formerly the president of General Motors Corp. We are also dealing with the pay of Secretary Weeks, another millionaire, the Secretary of Commerce. We are dealing with the pay of many other men who accepted their present Government positions at personal sacrifice to themselves, I must say.

However, when we try to hew to the line of retroactivity when we deal with \$25,000-a-year salaries for the top executives, in my opinion we are dealing with a matter so dangerous that I think it would be likely to jeopardize enactment of the bill itself.

The pending bill is not the same as the one which came before the Senate on the closing day of the last session. The bill now before the Senate covers well over 100 pay increases which were not even mentioned in the bill which was before the Senate on the last day of the last session. Are we going to provide for 6 months' retroactivity, along the line of a bonus of \$10,000 or \$11,000, in the case of such positions? I think we must draw the line. We are dealing with the public funds, and we must be careful.

Mr. PASTORE. Mr. President, will the Senator from Oklahoma yield to me?

The PRESIDING OFFICER (Mr. Cotton in the chair). Does the Senator from Oklahoma yield to the Senator from Rhode Island?

Mr. MONRONEY. I yield to my distinguished colleague on the committee.

Mr. PASTORE. Will not the distinguished Senator from Oklahoma agree that the committee considered this particular aspect of the bill, and devoted quite a number of hours to discussing it, and was of the opinion that this measure is somewhat different from the vetoed postal pay bill of last year, which contained a retroactive clause. In this case we are dealing not only with pay increases, but also with adjustments. I believe that, after all, sufficient equity is provided by the bill if passed as it now stands, and if it is made effective as of the date of its passage.

As the Senator from Oklahoma has already pointed out, in this case we are dealing with the salaries of those who occupy the top echelons, those who make the policies. They look to the White House for their benefits. The White House assumed that responsibility last year, but not in time. However, that was not our fault.

This year I again raised, before the committee, the point that no scientific

analysis had been made of the relationship between some of these positions. Because of the failure to make such an analysis, much hard work had to be done by our very diligent and alert staff. We devoted hours and hours of consideration to the matter, and we judged each group in relation to the others, so that no inequity would be done to any individual or any group of individuals within the categories specified in the bill. All that has been done.

I am afraid that if now we deal with the feature the Senator from Oregon [Mr. MORSE] has raised, and which we have fully discussed, much as I appreciate the noble motive of my friend, the Senator from Oregon, I am afraid we would be doing an impractical thing; and, rather than help, I am afraid it might jeopardize the chances of having the bill signed by the President.

Mr. KNOWLAND. Mr. President, will the Senator from Oklahoma yield to me?

Mr. MONRONEY. I yield.

Mr. KNOWLAND. I rise to support the position of the committee in not including retroactive features in the bill.

I certainly hope the amendment of the Senator from Oregon will be rejected. I think it would be an unsound practice to make the bill retroactive; I think there is no necessity for doing so. In my opinion, the Congress is being equitable and reasonably generous by means of the provisions of the bill as reported and as amended up to this time on the floor.

I certainly hope the amendment of the Senator from Oregon to make the provisions of the bill retroactive will be rejected.

Mr. MONRONEY. I thank the Senator from California.

Mr. MORSE. Mr. President, will the Senator from Oklahoma yield to me?

Mr. MONRONEY. I yield to my distinguished colleague.

Mr. MORSE. I wish to make another brief statement.

First, I should like to ask the chairman of the committee whether the bill now before the Senate provides for any increases in the salary brackets, over and above those provided in the bill which was before the Senate on the last evening of the last day of the last session; and if there are in the pending bill any such increases in salaries, I wish to ask whether the committee voted for any of them because of the fact that they would be made at a time later than when they would have been made if the Congress had enacted the bill at the last session. In other words, in fixing the salaries which are provided by the pending bill, did the committee take into account the fact that the Senate did not act on the other bill at the last session?

Mr. JOHNSTON of South Carolina. No, we did not take that into consideration; that is my answer to the Senator's question. I cannot speak for every member of the committee; that point was not discussed with them.

Mr. PASTORE. Mr. President, on that point will the Senator from South Carolina yield to me?

Mr. JOHNSTON of South Carolina. I yield.

Mr. PASTORE. Is it not a fact that if the bill of last year had been enacted, it would not have done as much equity as will be done by the pending bill, because the pending bill is a great improvement over last year's bill; and when many of the persons affected examine the pending bill, they will thank God that the Congress did not pass the other bill.

Mr. MORSE. Does the Senator from Oklahoma agree with that opinion?

Mr. MONRONEY. I do.

Mr. MORSE. Does the Senator from South Carolina, the chairman of the committee, agree with that opinion?

Mr. JOHNSTON of South Carolina. I do. After the studies were made, some improvements have been made, and some of the jobs have been moved from one class to another.

Mr. MORSE. I believe there is no doubt—and I do not think any Member of the Senate can deny—that if I had not held the floor for several hours during the last night of the last session of Congress, so as to block passage of that bill, it would have been passed then, even though hearings had not been held on it.

Therefore, I find myself in this position: At that time I also said that I would make a fight for retroactivity, after hearings had been held, because I thought the employees were entitled to retroactivity. At that time I said that I thought we should not attempt to pass such a bill when hearings had not been held on it.

Thereafter I received a good many calls from my friends in the Departments downtown. If any Senator on the other side of the aisle thinks I do not have many friends there, he is mistaken.

Many of my friends began to call me, thereafter. They asked, "What did you mean by blocking our pay increase? We are not responsible for the fact that the administration did not get the bill to Congress in time for hearings to be held. We think the bill is a good one."

I explained to them that I thought a very important procedural matter which should be protected was involved. I said to them, "I want you to know that I will fight for retroactivity for you, because I think you are entitled to it."

So I wish to point out that I am morally obligated to those persons to fight for retroactivity, because I am the one who prevented them from receiving this pay increase many, many months ago.

I do not draw the distinction that my friend, the Senator from Oklahoma, draws between the high paid and the low paid persons on the Government payroll. After all, regardless of whether they are high paid or low paid—and many of them are not getting very much pay, let me say—they are entitled to fair pay for the service they render.

The committee has decided that the bill as reported by it provides for fair pay for the services rendered. If the bill which was before the Senate on the closing day of the last session of Congress provided for fair pay—I refer to the bill which did not reach the committee in time for hearings to be held—then this amendment should be agreed to. That

is why I am pressing for adoption of the amendment.

Because of the confidence I have in him and the reliance I have placed on him from time to time, I should like to hear from the ranking minority member of the committee, the Senator from Kansas [Mr. CARLSON]. I should like to know what his position on this matter is.

Mr. MONRONEY. I yield to the Senator from Kansas.

Mr. CARLSON. Mr. President, I had expected to take the floor to make a few observations on this subject.

We are getting into the same situation in which we were on the closing night of the first session of the 84th Congress. The distinguished Senator from Oregon [Mr. MORSE] had the floor at that time, and he courteously yielded to me. The history he has given to us this afternoon is exactly correct.

I should like to read for the record the statement which I made through the courtesy of the Senator from Oregon, who at that time said he would be glad to yield to me provided he did not lose the floor. I said, on August 3, 1955:

Mr. CARLSON. Mr. President, I ask unanimous consent that the Senator from Oregon may yield to me for a few minutes, without losing his right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CARLSON. I appreciate the courtesy of the Senator from Oregon.

I sincerely hope that an executive pay bill can be approved at this session of Congress. Congress has voted increases in pay for Members of Congress. We have voted increases in pay for the legislative branch of the Government. We have voted increases totaling \$700 million for the salaried employees of the Government. Congress has voted increases of \$200 million for the postal employees of the Nation, and \$300 million for the classified workers of the Government.

Now we are asked in the closing hours of this session to vote \$1,500,000 for increases in pay for the executive branch of the Government. Frankly, I do not think it is fair to ask the executive branch of the Government to operate on their present basis.

I sincerely hope the distinguished Senator from Oregon will permit us to proceed at this time with the bill. I do not think there would be any difficulty in approving the proposed legislation, because the Senate might take the House bill, adopt it with some amendments, send it back to the House, and I am advised the House would accept it.

The distinguished Senator from Oregon and the distinguished Senator from Georgia are absolutely correct when they say there were no hearings. The bill came to the Senate on July 15. It was not the fault of the chairman of the Committee on Post Office and Civil Service, or of the ranking minority member, or of any other member. Frankly, I wish the bill had come to the Senate before that date, but that is the situation.

The President sent a letter to the Committee on Post Office and Civil Service and asked for the proposed legislation. We have tried to comply with that request, and I sincerely hope the Congress will not adjourn without passing the bill. I thank the Senator for yielding.

And so, Mr. President, we now find ourselves in almost the exact situation with respect to time. I still feel very strongly that this Congress should have acted upon the legislation last July. But the fact remains that no action was taken and the inequities created cannot

be cured nor alleviated through a reasonable retroactive clause. I sincerely urge the prompt passage of this legislation which is long overdue.

Mr. MORSE. Mr. President, I may say jocularly that since my last comment a couple of my colleagues have been ribbing me a little as to whether or not I am making a plea for a little retroactive pay for my opponent in the forthcoming campaign. That does not make any difference. I think he has it coming to him; and after November I think he is going to need it.

I still think I am making a sound argument on the equities, and from the standpoint of justice to these employees. I was responsible for the fact that they did not get a bill on the last night of the previous session. I will do exactly the same thing again as I did that night, because I think the committee has demonstrated the soundness of my position by the fact that long hearings were required. Extensive hearings were required to draft an acceptable bill. That shows how right I was in insisting on hearings.

I shall ask for a vote on my amendment, because I feel that I am morally committed to do so. I think it is a sound and just amendment. I submit the amendment.

Mr. MONRONEY. Mr. President, as I have previously stated, the final enactment of the bill will be endangered if this amendment is included.

In the second place, we shall be establishing a policy of retroactivity when we vote for retroactive pay for Cabinet members and top-salaried people. Such a policy would rise to plague us, and would cost the Government hundreds of millions of dollars in retroactive pay for those top-salaried employees. The only time retroactivity should ever be considered by the Senate is when our lowest paid employees have been discriminated against for many months because of a Presidential veto of legislation previously passed by the House and Senate.

Let us not do anything to set a pattern of retroactivity, or we shall be picking up 1 or 2 year's back salary.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Oregon [Mr. MORSE] to the committee amendment.

The amendment to the amendment was rejected.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. MORSE. Mr. President, I should like to ask the chairman of the committee a question on another subject.

It is reported to me that the Comptroller of the Currency, who is covered by this bill, receives not only his full salary, but a full pension by reason of a former Federal position held by him. I am advised that the committee was requested to look into this subject. If so, I should like to know, first, what it found, and, second, what it proposes to do to deal with the situation.

Mr. JOHNSTON of South Carolina. He does draw retirement pay. It is not from the Federal Government. It is from the Federal Reserve. It does not come from the Government.

Mr. MORSE. Does the Senator feel that it is sound and fair to provide him with that pension—that is what it is—and also the full salary provided in the bill?

Mr. JOHNSTON of South Carolina. We felt that the salary was for the position, and not necessarily for the man. He may leave the position tomorrow, or some other time. If the position did not carry the proper salary, special legislation would be required in the case of a new occupant of the position.

Mr. MORSE. When the Senator says the Comptroller of the Currency is receiving a pension from a retirement fund, does he mean that he is receiving it as the result of a former Federal position which he held?

Mr. JOHNSTON of South Carolina. It was a position with the Federal Reserve Bank. The money does not come from the Government.

Mr. MORSE. It does not come from the Treasury of the United States?

Mr. JOHNSTON of South Carolina. It does not come from the Treasury of the United States.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. DOUGLAS. Is it not a fact that while the expenses of the Federal Reserve Banks are deducted from their earnings, the major portion of the residue is turned over to the Federal Government? So in effect the pension paid to this man by the Federal Reserve System diminishes the amount of the residual sums which otherwise would be turned over to the Government; and therefore most of it, in effect, comes from diminished revenues of the Federal Government?

Mr. JOHNSTON of South Carolina. The Senator from Illinois is entirely correct; but the retirement system would have to be changed if anything were to be done about the situation. We are not dealing with the retirement law at this time.

Mr. MORSE. Mr. President, will the Senator further yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. MORSE. Are there instances of employees covered by the bill who are collecting pensions or retirement income from Federal sources as a result of previously held Federal positions, and who are now collecting salaries from the Federal Government?

Mr. JOHNSTON of South Carolina. There may be a few. Military retirement pay, of course, is exempted.

Mr. DOUGLAS. Is it not true that a large number of retired generals have been appointed to administrative positions? Are they drawing their military retirement pensions as well as their salaries?

Mr. JOHNSTON of South Carolina. My recollection is that there are about 15 of them in that category at the present time. There are in the Government service at the present time about 15 former military officers who are drawing pensions.

Mr. DOUGLAS. I saw a list the other day, and while I did not make a precise count, it seems to me that there were somewhere between 50 and 100 retired generals and admirals who had been appointed in the last 3 or 4 years to administrative positions or to commissions. It may be that not all of them are drawing retirement pay.

Mr. JOHNSTON of South Carolina. It will be necessary to exempt them from the law, I will tell the Senator, and to let them draw their pay, because Congress enacted that law.

Mr. MORSE. Mr. President, I call this matter to the attention of the chairman of the committee, the Senator from South Carolina, the Senator from Rhode Island, and the Senator from Oklahoma, because if I understand the situation correctly—and it has been represented to me to be the fact—I am disturbed by what I consider to be an unfairness.

Let us consider the social-security system, and the case of an old man or an old woman who wishes to earn a little money, in addition to the small payment he or she gets from the social-security system, perhaps to the extent of \$40 or \$50 a month for cutting the lawn or the raking of leaves in a neighbor's yard. Under existing law, that amount of money must be deducted from the social-security payments. We have been fighting for some time to try to make provision so that these old people, in addition to receiving the little pittance of social-security payments may earn and keep a few extra dollars over and above what they receive from the social-security system.

I understand from the Senator from Illinois—and he has confirmed what I previously understood—that there are in the Government employ a group of people, some of them retired generals or retired admirals, who apparently are in the employ of the Government and are receiving, in addition to their pay, retirement benefits from the Federal Government. Now we are about to increase their salaries substantially because they have been called back into Government service for some administrative work.

I cannot square the justice of our handling those two classes of employees, the one class that receives social-security payments, and the other the class of high-paid Government employees, who are allowed to collect their full salary and in addition collect their retirement pay. I should like to have an explanation of the equities involved in that kind of situation.

Mr. PASTORE. The Senator, of course, does not make a good point. However, he must realize that we are dealing with the Federal Retirement Act and also with certain positions, not with individuals. If we had gone into every individual case, I will say to the Senator, we would not have a bill before the Senate today. However, I call the attention of the Senator to section 13 (b) at page 70 of the bill, which reads:

(b) If an annuitant under this act (other than (1) a disability annuitant whose annuity is terminated by reason of his recovery or restoration of earning capacity, or (2) a Member retired under this act) hereafter becomes employed in an appointive or elec-

tive position subject to this act, annuity payments shall be discontinued during such employment and deductions for the retirement fund shall be withheld from his salary.

And so forth. Therefore, we do take care of most of those people. There may be some individuals who are getting some retirement pay under another system.

We did not go into all of these phases, but they should be looked into thoroughly. If we had undertaken to go into all of them, the pending bill would not be on the floor today; we would not have an executive pay bill.

We could not look into every situation, because it would involve a tremendous study; but at some time in the future such a thorough study should be made, particularly with respect to the military people who are receiving retirement pay and are also drawing salaries in positions with the Government. Such a study should be undertaken. We did not go into it thoroughly not because we were derelict in our duty, but because it was not intimately related to the work we were concerned with in connection with the pending bill.

Mr. MORSE. Mr. President, I yield to the Senator from South Carolina.

Mr. JOHNSTON of South Carolina. Mr. President, we did not have this problem to this great extent until after the Second World War, when officers of the military forces were turned loose, so to speak. They are now getting jobs with the Government, and in some positions they can draw their salary and also their retirement pay for their military service. I believe we should look into this matter very thoroughly and stop paying them both retirement pay and their salaries. I believe we all agree to that. Frankly, I believe we are employing too many military men in civilian positions in the Federal Government.

Mr. MORSE. I yield to the Senator from Illinois.

Mr. DOUGLAS. I agree with what the Senator from Oregon has said. When the social-security bill was under consideration a few days ago I offered an amendment to the public assistance feature of the bill, to permit people on public assistance to earn up to \$50 a month without having such money deducted from their old-age assistance payments.

I was deeply disappointed that the administration, through HEW, vigorously opposed my proposal. I only wish that they would be one-half so zealous in getting at the double payments to the high-paid administrators, who are retired military officers, as they were in opposing the proposal to allow a poor man or a poor woman on old-age assistance to keep \$50 of earned income.

SEVERAL SENATORS. Vote! Vote!

Mr. MORSE. Mr. President, I merely wish to say, in conclusion, that I thank the Senator from Illinois. As has been pointed out, it is a very important principle concerning which we ought to be consistent in the enactment of legislation. It would be a non sequitur for me to take the position that because a wrong was done somewhere else in connection with other legislation, we ought to perpetrate a similar wrong in the pending bill.

However, I believe it is important that the Senate be informed of this principle, and ought to be a little more careful in protecting the interests of the people who need the money most. When we are making the fight for the old people and for the disabled people trying to obtain some increases in their pension benefits, let us keep in mind an hour such as this when we proceeded to vote salary increases to Government officials, and employees who are already in the high-paid brackets in the Government service.

I am in favor of the proposed increases in the pending bill, because in this instance we are going to get good return for the expenditure.

In view of the general pay scale we have adopted, including the congressional pay scale, the employees whose salaries will be increased by the bill are entitled to them.

I close by saying that we have a long way to go in Federal legislation before we do justice to those who are receiving social-security benefits and those who are disabled. Much has been said about the great job we were supposed to have done because we established a 50-year age limit for disability in the bill the Senate passed the other day.

In my judgment the fact that we establish any age limit at all is a shocking thing, because when a fellow citizen under social security is disabled, he ought to get disability benefits immediately. If at age 38 he is disabled, and has a wife and three children, for example, he should not have to wait until he is 50 before he can get disability benefits. He ought to get them the next day, if social security is to carry out the social conscience on which it is supposedly premised.

That has no relation to the question of whether we should do justice on the pending bill. However, I wish to point out that we ought to be careful to apply the same standard of equity when we are dealing with those who are in the low-pay class that we apply when we are dealing, as we are today, with those in the high-pay class.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment, as amended.

The amendment, as amended, was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendment and third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H. R. 7619) was read the third time and passed.

Mr. JOHNSTON of South Carolina. Mr. President, I move that the Senate insist upon its amendment, request conference thereon with the House of Representatives, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. JOHNSTON of South Carolina, Mr. PASTORE, Mr. SCOTT, Mr. CARLSON, and Mr. JENNINGS conferees on the part of the Senate.

RENEWAL OF LICENSE TO USE CERTAIN LAND IN ST. MARYS FALLS CANAL PROJECT, MICHIGAN

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2693, House bill 8047.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 8047) granting authority to the Secretary of the Army to renew the license of the Ira D. MacLachlan Post, No. 3, the American Legion, Sault Ste. Marie, Mich., to use a certain parcel of land in St. Marys Falls Canal project.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. JOHNSON of Texas. Mr. President, I understand the bill has been cleared with the Senator from Oregon [Mr. MORSE].

Mr. MORSE. Mr. President, the Senator from Texas is correct, but I wish to make a brief statement concerning the bill, because it could become a very close question, so far as protecting the Federal interest is concerned. But I think it is adequately protected in the bill because of the equity.

What we are dealing with is a piece of Federal property on which a Federal building was located. It was leased in 1930 to an American Legion post. The American Legion post occupied the building. The building burned down, but, under the lease, the post had the obligation to replace the building. The original building was valued at \$7,000, and the building which the American Legion post built to replace the original building cost \$18,000. There is quite a difference in value.

This is a transaction which goes back to 1930. In 1930 it was the policy of the Federal Government to grant leases for this type of use without any rent being paid, but with a requirement on the part of the lessee to keep the buildings in repair and to replace them in case they were destroyed.

So, as I have studied the mathematics of the case, I would say that the Federal Government could not possibly lose if this bill were enacted into law, because of the great difference in the value of the building which the Legion has placed on the property and that of the original building. The Federal Government would still be ahead.

Mr. President, I make this statement so that no one can say in the future that Morse let something get by that violated the Morse formula. I shall never do that. In this instance the Federal Government is the one which has the advantage.

Mr. President, I have no objection to the bill.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (H. R. 8047) was considered, ordered to a third reading, read the third time, and passed.

CONVEYANCE OF CERTAIN LAND TO THE STATE OF TEXAS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent for the immediate consideration of Calendar No. 2691, Senate bill 3356.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 3356) to direct the Secretary of the Navy or his designee to convey a 240 55/100-acre tract of land situated near the city of Grand Prairie in Dallas County, Tex., to the State of Texas.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

Mr. MORSE. Mr. President, this is another one of the bills thoroughly in line with the policy we have followed, because the Federal interest is the advantage it obtains from the National Guard training which will result from the use of the property.

I have no objection.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Armed Services with an amendment, on page 7, line 9, after the word "now", to strike out "exist, including but not restricted to a public road easement heretofore granted along the west boundary of said airport and four additional tract easements for roadway purposes heretofore committed by the Secretary of the Navy and proposed to be granted in favor of Dallas County, Tex.," and insert "exist," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Navy or his designee is authorized and directed to convey by quitclaim deed, without consideration, to the State of Texas all right, title, and interest of the United States, except as retained in this act, together with all buildings, improvements thereon, and all appurtenances and utilities belonging or appertaining thereto, in and to two hundred forty and fifty-five one-hundredths acres of land situated in Dallas County, Tex., out of the McKinney and Williams survey, abstract numbered 1045 and the Elizabeth Gray survey, abstract numbered 517, near the city of Grand Prairie, and having been acquired in fee simple by the United States of America by declaration of taking filed August 4, 1942, in the United States District Court for the Northern District of Texas, Dallas Division, in the case of United States against 274.3 acres of land, Lou Foote, et al., civil numbered 699; and by declaration of taking filed October 20, 1943, in the aforesaid court in the case of the United States against 6.84 acres of land, Herman Waldman, et al., civil numbered 840, and said two hundred forty and fifty-five one-hundredths-acre tract of land being the major portion of the Grand Prairie Airport, formerly designated, outlying field numbered 26803, United States Naval Air Station, Dallas, Tex., being more particularly described as follows:

First tract: Beginning at the northeast corner of the W. C. May survey, abstract numbered 890, said corner being a Bois D'Arc fence corner post, being the upper L corner of the E. Gray survey, abstract numbered 517, and running thence north 89 degrees 26 minutes west along the south line of the said E. Gray survey, being also the north line of said W. C. May survey, 1,111.0 feet to a spike set in the centerline of a bridge over branch for southwest corner of the said E.

Gray survey being also at the southeast corner of the Tapley Holland survey, abstract numbered 644, from which a 1½-inch iron pipe bears south 89 degrees 26 minutes east 20 feet; thence north 0 degree 22 minutes 30 seconds east along the centerline of a 40-foot road locally called Twelfth Street Road at 2,123 feet, a jog in said road right-of-way increasing its width to 60 feet, at 2,529.1 feet a stake set for the northwest corner of the E. Gray survey and the southwest corner of the McKinney and Williams survey, abstract numbered 1045, continuing on said course and with the centerline of Twelfth Street and along the west line of said McKinney and Williams survey to a total distance of 4,113.95 feet to a ¾-inch iron pipe set in the centerline of said Twelfth Street on the south line of Jefferson Avenue, from which a cedar fence corner post bears north 81 degrees 39 minutes 30 seconds east 30.2 feet; thence north 81 degrees 39 minutes 30 seconds east along the south line of Jefferson Avenue 1,936.48 feet to a point of circular curve; thence on a curve to the left having a radius of 2,864.93 feet through a central angle of 17 degrees 02 minutes a distance of 851.66 feet to ¾-inch iron pipe, being the northwest corner of Indian Hills addition to the city of Grand Prairie, Texas, as recorded in the Dallas County records; thence south along the west line of said Indian Hills addition 2,117.6 feet to a ¾-inch iron pipe at the southwest corner of said addition in the south line of the McKinney and Williams survey, being also the north line of the E. Gray survey; thence north 89 degrees 34 minutes west along the north line of said E. Gray survey, 63.13 feet to a 1½-inch iron pipe; thence south 0 degree 33 minutes 30 seconds west along the Old Turn Row 2,683 feet to a 3-inch cedar stake set in the east and west fence on the south line of the E. Gray survey; thence north 89 degrees 34 minutes 30 seconds west along the said south line of the E. Gray survey, 1,557.3 feet to a Bois D'Arc fence corner post of the lower L corner of said E. Gray survey; and thence north 0 degree 02 minutes west along the east line of the W. C. May survey and with old fence lines 138.4 feet to the place of beginning and containing 273.64 acres of land, of which 159.83 acres are located in the E. Gray survey and 113.81 acres are located in the McKinney and Williams survey, except that portion of land containing 40.3 acres and more particularly described as follows:

Beginning at the northwest corner of the Indian Hills addition (abstract 1045) to the city of Grand Prairie, Texas, as recorded in volume 7, page 368, of the plat records of Dallas County, Texas; said corner being in the south right-of-way line of Jefferson Avenue, and being the northwest corner of lot 1, block A of said Indian Hills addition; thence in a southwesterly direction along the south right-of-way line of Jefferson Avenue, and along a circular curve to the right having a central angle of 17 degrees and 2 minutes and a radius of 2,864.93 feet a distance of 851.66 feet to the point of tangency for said curve; thence south 81 degrees 39 minutes 30 seconds west 721.14 feet to a ¾-inch iron pipe for corner; said corner being in the south right-of-way line of Jefferson Avenue; thence south 08 degrees 20 minutes 30 seconds east 330.0 feet to a point for corner; thence in a southeasterly direction 2016.45 feet to a 1½-inch iron pipe for corner; said corner being the northwest corner of the Indian Hills Park addition (abstract 517) to the city of Grand Prairie, Tex., as recorded in volume 17, page 365, of the plat records of Dallas County, Tex.; and the northwest corner of lot 17, block 9, of said Indian Hills Park addition; thence south 89 degrees 34 minutes east along the north line of lot 17, block 9, of said Indian Hills Park addition 63.13 feet to the southwest corner of the